

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17039 of 2016

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Smt. Kanchan Dewedi, Wife of Sri Sudhakar Dewedi, Resident of Mohalla- Poatal
Park Road No- 3, Ward No- 31, House No- 118, Police Station- Jakkanpur,
District- Patna.

.... Petitioner

Versus

1. The State of Bihar through the Collector Cum District Magistrate, Patna.
2. The Sub- Divisional Magistrate, Patna Sadar, Patna.
3. The Chief Executive Officer, Patna Municipal Corporation, Patna.
4. The Executive Officer, Patna Municipal Corporation, Kankarbagh, Patna.
5. The Circle Officer, Patna Sadar, Patna.
6. The District Urban Development Authority, Patna.

.... Respondents

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Upadhyay, Advocate
For the State	:	Mr. Arun Kumar Bhagat, AC to AAG XII
For the PMC	:	Mr. Prasoon Sinha, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 23-11-2016

Heard parties.

It is contended on behalf of petitioner that vide Annexure
3 the concerned lane was declared a public street by the Patna
Municipal Corporation under the relevant provision.

Grievance of the petitioner is that certain persons
including their neighbours have encroached the public street which is
causing much annoyance, inconvenience and impediment in free
flow of traffic through the street concerned.

Learned counsel for the petitioner further submits that
she has approached the District Magistrate, Patna as well as the Chief



Executive Officer, Patna Municipal Corporation for removal of encroachment but nothing has been done till date. The relevant representations have been appended as Annexure 5 and 6.

Accordingly, this writ application is being disposed of with a direction to the District Magistrate, Patna to look into the matter and if it is found that there is encroachment on the public land or street then necessary steps for removal of the encroachment should be taken.

It is expected that the matter is to be brought to its logical conclusion within three months from the date of receipt / production of a copy of this order.

However, it is made clear that no adverse order should be passed against anyone without granting reasonable opportunity to all the concerned persons.

Accordingly, this writ application stands disposed of with the aforesaid observations and directions.

(Dr. Ravi Ranjan, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.02.2017
Transmission Date	NA

