

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8461 of 2016

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Ram Babu Das, S/o Sri Sukan Das, resident of village- Dharha Hirmiyan,
P.S.- Rosera, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Govt. of Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Superintendent of Police, Samastipur.
4. The Sub-Divisional Officer, Rosera, Samastipur.
5. The Circle Officer, Rosera.
6. The Civil Surgeon-cum-Chief Medical Officer, Samastipur.
7. The Deputy Superintendent, Sub-Divisional Hospital, Rosera, Samastipur.
8. The Officer- In- Charge, Rosera, P.S. Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Advocate
For the Respondent/s : Mr. Anjani Kumar, AAG-4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 21-09-2016 Heard Mr. Awadhesh Kumar Pandey, learned Counsel,

appearing on behalf of the petitioner, and Mr. Anjani Kumar,

learned AAG No.4, appearing on behalf of the State-

respondents.

With the help of this writ petition, made under Article
226 of the Constitution of India, in the form of Public Interest
Litigation, the petitioner has sought for issuance of writ
commanding the respondents to take steps for removal of
encroachment in the premises of Old Hospital, Rosera.

By filing their counter affidavit, Respondent Nos.3

and 8 have submitted to the effect that with regard to the encroachment of the land of the premises of the said Hospital, Encroachment Case No.3 of 2016 has already been instituted.

In view of the above, no further direction is called for in this Public Interest Litigation as far as the petitioner is concerned.

As far as the alleged encroachments are concerned, it has been brought to the notice of this Court that as against the institution of the said encroachment case, a writ petition, which has given rise to C.W.J.C. No.11310 of 2016, has been instituted and an interim order, dated 27.07.2016, has been passed directing the parties to maintain *status quo*.

Since the subject-matter of the said encroachment case is *sub judice*, we make no comment or observation on the order, dated 27.07.2016, aforementioned.

With the above observations and directions, this writ petition stands closed. I.A. No.7642 of 2016 shall, accordingly, stand disposed of.

(I.A. Ansari,CJ)

(Anjana Mishra, J)

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