

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11405 of 2016**

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1. Sunil Mahto son of late Ram Dayalu Mahto resident of village Kamrawn, Tole Manwadih, Police Station Dalsingsarai, District Samastipur.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Road Construction Department, Govt. of Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Sub-Divisional Officer, Dalsingsarai within the District of Samastipur.
4. The Circle Officer, Dalsingsarai within the District of Samastipur.
5. The Officer-In-Charge, Dalsingsarai Police Station within the district of Samastipur.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Rama Nand Poddar, Advocate  
For the Respondent/s : Mr. Ashok Kumar Kesari, AAG-11  
Md. Naseem Mukhtar, AC to AAG-11

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE JUSTICE SMT. ANJANA MISHRA**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      19-09-2016                      Heard Mr. Rama Nand Poddar, learned Counsel, appearing on behalf of the petitioner, and Md. Naseem Mukhtar, learned Assistant Counsel to Additional Advocate General No.12, appearing on behalf of the State-respondents.

The grievance of the writ petitioner, made in this writ petition, under Article 226 of the Constitution of India, in the nature of Public Interest Litigation, relates to removal of encroachment upon public land.

Having regard to the facts pleaded in this writ petition, the materials on record and, having heard learned counsel for both the parties, we find that the subject matter of this writ petition is fully covered by the observations made, and the directions given by us in the order, dated 24.11.2015, passed in C.W.J.C.No.4309 of 2015 (**Sanjay Jha Vs. The State of Bihar and Others**), reported in 2016 (1) PLJR 248.

In view of the above and in the interest of justice, it is hereby directed that respondent No.2, namely, the District Magistrate, Samastipur, shall act, in the present matter, in accordance with law, keeping in view the observations made and the directions given in the order, dated 24.11.2015, aforementioned.

Let a copy of this order be made available to the learned Counsel for the petitioner for being transmitted to the District Magistrate, Samastipur.

Let also a copy of this order be sent by FAX to the District Magistrate, Samastipur.

In view of the above, this writ petition is accordingly disposed of.

**(I.A. Ansari,CJ)**

**(Anjana Mishra, J)**

Mkr./-

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