

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17058 of 2016

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Saroj Kumar son of Premchand Prasad Gupta resident of Mohalla- Pachhatti, P.S.- Bodhgaya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Gaya.
3. The Superintendent of Police, Gaya.
4. Sub-Divisional Officer, Sadar, Gaya.
5. The Circle Officer, Bodhgaya.
6. Officer in charge, Bodhgaya Police Station, Bodhgaya.
7. Chairman, Nagar Panchayat, Bodhgaya.
8. Manager in Charge, Birla Dharmshala, Bodhgaya.
9. Manager in Charge Tibetan Monastery, Bodhgaya.
10. Owner, Mahamaya Hotel Bodhgaya, P.S.- Bodhgaya, Dist- Gaya.
11. Manager In Charge Thai Temple P.S.- Bodhgaya, Dist- Gaya.
12. Manager In Charge Nigma Monastery Bodhgaya, P.S.- Bodhgaya, Dist- Gaya.
13. Manager In Charge Vermese Vihar Monastery Bodhgaya, P.S.- Bodhgaya, Dist- Gaya.
14. Manager Taiwan Temple, Bodhgaya, P.S.- Bodhgaya, Dist- Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh kumar, Advocate.
For the Respondent/s : Mr. Prabhat Kumar Verma-AAG3
Mr. Saroj Kumar Verma, AC to AAG 3.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 17-10-2016

Heard Mr. Ram Prawesh Kumar, learned counsel for the

petitioner, and Mr. Prabhat Kumar Verma, learned Additional Advocate General No.3, 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 made over the public road, situated in front of the hotel and monasteries of respondents No. 8 to 13.

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 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, Gaya, 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.

The petitioner may furnish to respondent No.2, namely, District Magistrate, Gaya, a copy of this writ petition along with annexures thereto and also a certified copy of this order.

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

Let a copy of this order be sent by FAX to the Collector,
Gaya.

(I. A. Ansari, CJ)

(Dr. Ravi Ranjan, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.10.2016
Transmission Date	