

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15907 of 2016

- =====
1. Markandey Roy, son of Late Dashrath Roy
 2. Awadhesh Singh, son of Late Jagalal Singh
 3. Vishwanath Singh, son of Late Awadhesh Singh
 4. Kumar Shekhar, son of Sri Arbind Kumar
 5. Ganesh Chandra Sao, son of Late Shukhdeo Sao
 6. Rakesh Mani, Son of Sri Brij Nandan Yadav

All are residents of Mohalla - Lekha Nagar, Khagaul Cantt. Road, P.S.- Khagaul,
District - Patna.

.... Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Secretary, Revenue and Land Reforms Department, Government of Bihar,
Patna.
4. The Commissioner, Patna Commissionaire, Patna.
5. The Collector, Patna.
6. The Sub Divisional Officer, Danapur, District Patna.
7. The Circle Officer, Danapur, District - Patna.

.... Respondents

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Appearance :

For the Petitioners : Mr. Bindeshwar Kumar, Advocate
For the State : MD. Naseem Mukhtar, A.C. to AAG12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 03-10-2016

Heard Mr. Bindeshwar Kumar, learned counsel,
appearing on behalf of the petitioners, and Md. Naseem Mukhtar,

learned Assistant Counsel to learned 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 from survey Plot Nos. 297, 689 and 690, Thana No.34 and plots Nos. 417, 175, 177, 176, 117, 118 and 112, Thana No. 35 and plot No. 50 Thana No. 36, under circle Danapur, District – Patna, which is used as *Aam Rasta*.

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.5, namely, the Collector, Patna, 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.5, namely,

District Magistrate, Patna, 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, Patna.

(I. A. Ansari, CJ)

(Dr. Ravi Ranjan, J)

Spd/-/ Sanjay

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.10.2016
Transmission Date	NA