

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3621 of 2015

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1. Umesh Prasad S/o Late Ragho Sharan Lal
2. Ram Nandan Prasad S/o Late Govind Lal
3. Arun Kumar Sinha S/o Sri Ram Nandan Prasad
4. Lakshmi Narayan S/o Late Rameshwar Raut
5. Umesh Ram S/o Late Bachu Ram All are residents of village - Saidpura, Police Station - Nagar Nausa, District - Nalanda

.... Petitioners

Versus

1. The State of Bihar through the Secretary, Rural Development, Govt. of Bihar, Patna
2. The District Magistrate, Nalanda at Biharsharif
3. The Sub-Divisional Officer, Hilsa, District - Nalanda
4. The Circle officer, Nagar Nausa within the District of Nalanda
5. The Officer - in - Charge, Nagar Nausa Police Station, District - Nalanda

.... Respondents

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Appearance :

For the Petitioners : Mr. Pramod Kumar

For the Respondents: Mr. Ashok Kumar Chaudhary, AAG-13

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

JUDGMENT AND ORDER

ORAL

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 30-01-2016

Heard Mr. Pramod Kumar, learned counsel for the petitioners, and Mr. Ashok Kumar Chaudhary, learned Additional Advocate General No. 13, appearing for the State-respondents.

The grievance of the writ petitioners, made in this writ petition, under Article 226 of the Constitution of India, in the nature of Public Interest Litigation, relates to encroachment of public path/public road.

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, District Magistrate, Nalanda at Bihar Sharif and respondent No.3, namely, Sub-Divisional Officer, Hilsa, District Nalanda, 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.

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

(I. A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

A.I./-

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