

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3234 of 2015

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1. Banwari Lal Dalaniya, son of Late Prabhu Dayal Dalaniya, Resident of
Manaskamananath Chowk, K.P. Lal Road, P.S.- Nathnagar, Dist.- Bhagalpur

.... Petitioners

Versus

1. The State of Bihar
2. The Commissioner, Bhagalpur
3. The District Magistrate, Bhagalpur
4. The Circle Officer, Nathnagar, Bhagalpur

.... Respondents

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Appearance :

For the Petitioner : Mr. Nagendra Kumar

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

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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. Nagendra Kumar, learned counsel for the
petitioner, and Mr. Ashok Kumar Chaudhary, learned Additional
Advocate General No. 13, appearing for 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 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.3, namely, District Magistrate, Bhagalpur and respondent No.4, namely, Circle Officer, Nathnagar, Bhagalpur, 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)

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