

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4646 of 2015

Reyaz Ahmad Aatish son of Late Nesar Ahmad, resident of A/401, Ali Enclave, Raza Bazar, P.S. Shastri Nagar, District-Patna, Presently Secretary of Al Madad Welfare Society, having its Headquarter at Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Public Works Department, Road, Government of Bihar, Patna.
3. The Home Commissioner, Government of Bihar, Patna.
4. The Director General of Police, Bihar, Patna.
5. The Municipal Commissioner, Patna Municipal Corporation, Patna.
6. The Chairman/Managing Director, Bihar State Housing Board, Patna
7. The Secretary, Bihar State Housing Board, Patna
8. The Chairman-cum- C.M.O. Bihar State Electricity Board, Now BSP(H) Limited, Patna.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Prakash Kumar, Adv.
Mr. Shashi Kumar, Adv.
For the Respondent/s : Mr. Ashok Kumar Chaudhary, AAG-13.
Mr. Avanindra Kumar Jha, AC to AAG -13
For the Respondent No. 5 : Mr. Prasoon Sinha, Adv.

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 08-04-2016 Heard Mr. Prakash Kumar, learned Counsel for the petitioner, and Mr. Ashok Kumar Chaudhary, learned Additional Advocate General No. 13, appearing for the State-respondents. Heard also Mr. Prasoon Sinha, learned Counsel appearing for respondent No. 5.

The grievance of the 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 the parties, we find that the subject matter of this writ petition is fully covered by the observation made, and the directions given by us in the case of **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 Municipal Commissioner, Patna Municipal Corporation, 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.

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

(I.A. Ansari, ACJ)

(Samarendra Pratap Singh, J)

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