

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5591 of 2016

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1. Satyendra Kumar Rai Son of Late Ramashish Rai, Resident of Village - Harpur Pusa, P.S. - Pusa, Block cum Circle - Pusa, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Superintendent of Police, Samastipur.
4. The Sub - Divisional Magistrate, Samastipur.
5. The Circle Officer, Circle - Pusa District - Samastipur.
6. The Officer - in - Charge Pusa Police Station, District - Samastipur.
7. Naveen Chaudhari Son of Late Heera Choudhary, Resident of Madapur Chhapara, P.S. - Pusa, District - Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prem Prakash Poddar

For the Respondent/s : Mr. Anil Kumar Sinha- GA 9

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-09-2016 Heard Mr. P.P.Poddar, learned Counsel for the petitioner, and Mr. Anil Kumar Sinha, learned GA 9, 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 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.2, namely, District Magistrate, Samastipur, and respondent No.4, namely, Sub-Divisional Magistrate, Samastipur, 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,CJ)

(Anjana Mishra, J)

A.I./-

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