

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21904 of 2014

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1. Pervaz Alam S/o Md. Yaqub Resident of Mohalla - Darjee Patti, P.S. and P.O. Banmankhi, District - Purnia
 2. Md. Nazeer S/o Late Md. Sabir Ali, Resident of Mohalla - Darjee Patti, P.S. and P.O. Banmankhi, District - Purnia

.... Petitioners

Versus

1. The State of Bihar through the Collector - cum - District Magistrate, Purnea
2. The Collector - Cum - District Magistrate, Purnea
3. The Special Officer, Agriculture Produce Marketing Board (Disintegrated) - Cum - Sub - Divisional Officer, Purnia Sadar, Purnea
4. The Superintendent of Police, Purnia
5. The Deputy Superintendent of Police, Banmankhi, District - Purnia
6. The Circle officer, Banmankhi Circle, Banmankhi, District - Purnia
7. The Officer - in - Charge, Banmankhi Police Station, Banmankhi, District - Purnia
8. The Administrator, Bihar State Agriculture Marketing Board (Disintegrated) Pant Bhawan, Baily Road, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Respondent/s : Mr. Jai Shankar Barnawal, GA-5

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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: 04-02-2016

Heard Mr. Sanjeev Kumar, learned counsel for the petitioners, and Mr. Jai Shankar Barnawal, learned GA-5, 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 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, Purnia, and respondent No.3, namely, Special Officer, Agriculture Produce Marketing Board (Disintegrated)-Sub-Divisional Officer, Purnia Sadar, Purnia, 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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