

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20470 of 2014

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1. Onkar Prasad Singh, S/o Late Ramnaresh Pd. Singh, R/o Village - Dewdha P.S. Hasanpur in the District of Samastipur.

.... Petitioner

Versus

1. The State of Bihar through its Chief Secretary Govt. of Bihar, Patna.
2. The Principal Secretary Road Construction Department, Govt. of Bihar.
3. The District Magistrate cum Collector, Samastipur.
4. The Sub Divisional Magistrate Rosera, Samastipur.
5. The Land Reform Deputy Collector Rosera, Samastipur.
6. The Executive Engineer Rural Work Development, Work Division Rosera, Samastipur.
7. The Circle Officer, Hasanpur Unchal, Samastipur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Respondent/s : Mr. Kaushal Kumar Jha, (AAG14)

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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 petitioner, and Mr. Kaushal Kumar Jha, learned Additional Advocate General No. 14, 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.3, namely, District Magistrate cum Collector, Samastipur, and respondent No.4, namely, Sub-Divisional Magistrate, Rosera, 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, ACJ)

(Chakradhari Sharan Singh, J)

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