

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9541 of 2016

=====

1. Kamlesh Prasad Das S/O Late Nakchhedi Das resident of Mohalla
Gandhi Path ward No.1, P.S. & District- Saharsa.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary Bihar.
2. District Magistrate Saharsa.
3. Sub- Divisional Magistrate, Saharsa.
4. Circle Officer Kahra PS & District Saharsa.
5. Executive Officer Nagar Parishad Saharsa.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh
For the Respondent/s : Mr. Roy Shivajee Nath- AAG 3

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-09-2016 Heard Mr. Diwakar Prasad Singh, learned Counsel for

the petitioner, and Mr. Roy Shivajee Nath, learned Additional

Advocate General No. 3, 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, Saharsa, and respondent No.3, namely, Sub-Divisional Magistrate, Saharsa, 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./-

U			
---	--	--	--