

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12160 of 2015

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1. Supil Shahi S/o Sri Ram Laxan Shahi, R/o Village- Sahbajpur, P.O.- Bhikhanpura, Block- Mushahari, P.S.- Ahiyapur, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Road Construction Department, Government of Bihar, Patna
3. Commissioner, Tirhut Division, Muzaffarpur
4. District Magistrate cum Collector, Muzaffarpur
5. Executive Engineer, Road Division No. 1, Maripur, Muzaffarpur
6. Sub-Divisional Magistrate (East), Muzaffarpur
7. Circle Officer, Mushahari, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Respondent/s : Mr. Jai Shankar Barnwal, 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. Sanjay Kumar @ S.K., learned counsel for the petitioner, and Mr. Jai Shankar Barnawal, learned GA-5, 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.4, namely, District Magistrate cum Collector, Muzaffarpur, and respondent No.6, namely, Sub-Divisional Magistrate (East), Muzaffarpur, 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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