

IN THE HIGH COURT OF JUDICATURE AT PATNA
Or. Criminal Miscellaneous No.2 of 2016

=====

Kailash Thakur S/o late Jaisu Thakur R/o Mohalla- Bagmali
Ward No. 5 Survey ward No. 3, P.S town Hajipur, District
Vaishali.

.... Petitioner

Versus

1. The State of Bihar Through The Principal Secretary, Urban
Development & Housing Department Govt. of Bihar, Patna .
2. The District Magistrate, Vaishali at Hajipur.
3. The Sub Divisional Officer, Hajipur Vaishali.
4. The Circle officer, Hajipur, Vaishali.
5. The Executive Officer, Nagar Parishad, Hajipur, Vaishali.
6. The Superintendent of Police Vaishali at Hajipur.
7. The Officer in Charge, Town Police Station Hajipur, Vaishali.
8. Prabhu Sah S/o Jaikishun Sah
9. Deepak Sah S/o Jamun Chaudhary
10. Kanhai Singh S/o Ram Bilash Singh
11. Raju Sah S/o Jagarnath Sah All Resident of Mohalla- Bagmali
Ward No. 5 Survey Ward No. 3, P.S Town Hajipur, District
Vaishali.

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Ram Shankar Das, Advocate
For the Opposite Parties : Mr. Anil Kumar Verma, AC to AAG-9

=====

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

2. 08-11-2016 Heard learned counsel for the petitioner and
learned counsel for the State.

With consent of the parties, this application is
being disposed of at this stage itself.

This application has been filed by the
petitioner under Section 340 of the Code of Criminal

Procedure as against the respondent for allegedly swearing false affidavit. This assertion is made on the basis of photographs taken by the petitioner on 27.03.2016, and the Public Interest Litigation was disposed of by final order on 28.03.2016 i.e. a day after the photographs were taken by the petitioner. The Court noticed that to the extent it is possible to remove encroachments, they have been removed. There is civil litigation pending in respect of the said property. Taking note of these facts, the Public Interest Litigation was disposed of. The petitioner now wants reopening and rehearing of the matter, which is not possible. If the petitioner has any grievance, he may intervene in the civil proceedings, if the law so permits.

We are not inclined to take any action in this matter. This application is, accordingly, dismissed.

(Navaniti Prasad Singh, J.)

Rajeev/-

(Jitendra Mohan Sharma, J.)

U		T	
---	--	---	--