

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4049 of 2015

1. Parmeshwar Raut Son of Late Chedi Raut, Resident of Village - Kaudiya Raipur Kabir Ashram Tola, Police Station - Nanpur, District - Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar Patna.
2. The District Magistrate, Sitamarhi.
3. The Sub Divisional Magistrate, Pupri, Sitamarhi.
4. The Executive Officer - Cum- Circle Officer, Nanpur, Sitamarhi.
5. Bilas Pandit, Son of Hitlal Pandit, Resident of Village - Kadiya Raipur Kabir Ashram Tola, P.S. Nanpur, District - Sitamarhi.
6. Ram Sagarath Pandit, Son of Late Bahadur Pandit, Resident of Village - Kaudiya Raipur Kabir Ashram Tola, P.S. - nanpur, District - Sitamarhi.
7. Ranjit Raut, Son of Badri Raut, Resident of Village - Kaudiya Raipur Kabir Ashram Tola, P.S. Nanpur, District - Sitamarhi.

.... Respondents

Appearance :

For the Petitioner : Mr. Jaya Prakash Singh

For the Respondents: Mr. Partha Sharthi, GA-11

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. Jaya Prakash Singh, learned counsel for the petitioner, and Mr. Partha Sharthi, learned GA-11, 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, Sitamarhi, and respondent No.3, namely, Sub-Divisional Magistrate, Pupri, Sitamarhi, 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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