

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8661 of 2015

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1. Rajesh Kumar, Son of Sri Upendra Rai, Resident of village + P.O. Kusaiya, P.S. Warisnagar, District - Samastipur

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. District Magistrate, Samastipur
3. Sub - Divisional officer, Samastipur
4. Circle officer (C.O.), Warisnagar
5. Dabu Rai Son of Late Sanichar Rai
6. Bhola Rai Son of Late Sanichar Rai Both are Respondent No. 5 & 6 are Resident of village + P.O. Kusaiya, P.S. Warisnagar, District - Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Dr. Om Prakash Om

For the Respondent/s : Mr. Jai Shankar Barnawal, 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 Dr. Om Prakash Om, 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.2, namely, District Magistrate, Samastipur, and respondent No.3, namely, Sub-Divisional Officer, 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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