

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3959 of 2015

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1. Tazamul Hussain, Son of Ramjan Mian
2. Aftab Hussain @ Aftab Alam, Son of Eakabal Hussain, Both are resident of Village- Mohoddipur , Police Station- Siwan Muffasil, District- Siwan.

.... Petitioners

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate cum District Collector, Siwan.
3. The Superintendent of Police, Siwan.
4. The Sub Divisional Officer, Siwan (Sadar)
5. The D.C.L.R. Siwan (Sadar)
6. The Circle Officer Siwan (Sadar)
7. The Station House Officer Siwan Muffasil Police Station, District- Siwan.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Respondent/s : Mr. A.K.Chaudhary, AAG-13

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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. Ranjeet Kumar, learned counsel for the petitioners, and Mr. Ashok Kumar Chaudhary, learned Additional Advocate General No. 13, appearing for the State-respondents.

The grievance of the writ petitioners, 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 cum Collector, Siwan, and respondent No.4, namely, Sub-Divisional Officer, Siwan (Sadar), 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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