

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11676 of 2015

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1. Deo Kant Singh, Son of Jagdish Singh, Resident of village- Basipatti,
P.S.- Bheja, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Home Govt. of Bihar, Old Secretariat, Patna
3. The District Magistrate, Madhubani, Distt- Madhubani
4. The Superintendent of Police, Madhubani, District- Madhubani
5. The Sub Divisional Officer, Jhanjharpur, District- Madhubani
6. The Circle officer, Jhanjharpur, District- Madhubani
7. The Station House Officer, Police Station- Jhanjharpur, District- Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Respondent/s : Mr. Ashok Kumar Choudhary- AAG-13

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 25-01-2016 Heard Mr. Sunil Kumar, learned Counsel, appearing on behalf of the petitioner, and Mr. Awanindra Kumar Jha, Assistant Counsel to learned Additional Advocate General-13, appearing on behalf of the State-respondents.

The grievance of the petitioner, in the present proceeding, in the nature of *Public Interest Litigation* brought under Article 226 of the Constitution of India, relates to illegal encroachments on the Government land, the land being a part of the road appertaining to Khata No.602, Khesra No.5281, by

unauthorized persons.

Learned counsel for the petitioner informs us that during the pendency of this application, respondent No. 7 has reportedly died. This application, thus, abates, to the extent, it relates to respondent No. 7.

Dealing with the grievance of illegal encroachments on the public land, we may point out that we have issued directions, in detail, to be followed by the competent authority under Section 133 of the Cr.P.C. and all concerned vide order, dated 24.11.2015, passed, in C.W.J.C. No. 4309 of 2015, in the case of **Sanjay Jha v. the State of Bihar & Ors.** The directions apply to the present dispute also.

This application stands disposed of in terms of the said order with a direction to the Sub-divisional Officer, Jhanjharpur, Madhubani, to take steps as may be required to be taken by him in accordance with the directions given in the said order.

(I.A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

K.C.jha/-

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