

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3176 of 2016

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1. Hari Yadav son of Late Phagu Yadav, Resident of village- Aura, P.S-
Magadh University, Bodh-Gaya, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Gaya
2. The District Magistrate, Gaya
3. The Superintendent of Police, Gaya
4. The Sub-Divisional Officer, Sadar, Gaya
5. The Anchal Adhikari, Bodh-Gaya
6. The Station House Officer, Magadh University Police Station, Bodh-Gaya
7. Ram Shevak Yadav Son of Late Lala Yadav Resident of village- Asni, P.S.- Magadh University, Bodh Gaya, District- Gaya
8. Mirtunjaya Gupta son of Nand Kishore Gupta Resident of village- Kharona, P.S.- Magadh University, Bodh Gaya, District- Gaya
9. Damodar Yadav son of Mohan Yadav
10. Jitu Mistri son of Dihwar Mistri
11. Ambika Mistri son of Dihwar Mistri
12. Kapil Sharma son of Karu Sharma Sl. No. 9 to 12 resident of village- Aasni, P.s.- Magadh University, Bodh- Gaya, District- Gaya
13. Ranjeet Yadav son of Ramkrit Yadav, Resident of village- Aanti, P.S.- Magadh University, Bodh-Gaya, District- Gaya
14. Brajesh Yadav Son of not known, Resident of village- Lathbela, P.s.- Barachatti, District- Gaya
15. Ramavtar Yadav Son of Lakhman Yadav, Resident of village- Matihani, P.S.- Magadh University, Bodh-Gaya, District- Gaya
16. Ranveer Yadav (Presently PACS President), son of Ramshevak Yadav
17. Ram Shevak Yadav son of Late Bhola Yadav (Presently Sarpanch) Both resident of village Aasni, P.S.- Magadh University, Bodh-Gaya, District- Gaya
18. Maheshi Yadav, son of not known, Resident of village- Baiju Bigha, P.S.- Magadh University, Bodh-Gaya, District- Gaya
19. Ramun Yadav son of Kuldeep Yadav, Resident of village- Aura, P.S.- Magadh University, Bodh-Gaya, District- Gaya
20. Kamlesh Paswan, son of Nandu Paswan, Resident of Village- Aura, P.S.- Magadh University, Bodh-Gaya, District- Gaya
21. Dularchand Yadav son of Rameshwar Yadav, Resident of village- Aura, P.S.- Magadh University, Bodh-Gaya, District- Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S.R.P. Sinha, Adv.
For the Respondent/s : Mr. Anjani Kumar- AAG-4

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 19-09-2016

Heard Mr. S.R.P. Sinha, learned Counsel, appearing on behalf of the petitioner, and Mr. Anjani Kumar, learned Additional Advocate General No.6, appearing on behalf of the State-respondents.

In view of the fact that the counter affidavit has been filed by the respondents on the basis of the report submitted by the Principal of the school, in question, that no land of the school, in question, has been encroached upon, it becomes clear that this Public Interest Litigation raises disputed questions of fact, which cannot be determined in a proceeding of present nature.

In view of the above and in the interest of justice, this Public Interest Litigation is closed with liberty given to the petitioner to take recourse to such provisions of law as may be permissible including institution of a suit in a civil court of competent jurisdiction.

(I.A. Ansari,CJ)

(Anjana Mishra, J)

K.C.jha/-

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