

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22012 of 2014

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1. Shashi Kant Das Son of Late Radha Krishna Das, resident of Mohalla-Jai Mahavir Colony, Sandalpur, Ward No. 36 (Old), 47 (New), Road No. 6, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner- cum- Administrator, Patna Municipal Corporation, Patna, Budh Marg, Patna
3. The District Magistrate, Patna
4. The Sub Divisional Officer, Patna City, Patna
5. The Circle Officer, Patna Sadar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate
For the Respondent/s : Mr. Amaresh Kumar Sinha, AC to GA-1
For the PMC : Mr. Sanjay Prakash Verma, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 05-09-2016 Heard Mr. Kamal Kishore Singh, learned Counsel, appearing on behalf of the petitioner, and Mr. Amaresh Kumar Sinha, learned Assistant Counsel to Government Advocate No.1, appearing on behalf of the State-respondents. Heard also Mr. Sanjay Prakash Verma, learned Counsel, appearing on behalf of Patna Municipal Corporation.

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 road and *Nala* at Plot Nos. 3287 and 3288, which has already been recorded in the Minicipal Survey Khatiyān and Map prepared showing public road and *Nala*.

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 order, dated 24.11.2015, passed in C.W.J.C.No.4309 of 2015 (**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.3, namely, District Magistrate, Patna, 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,CJ)

(Chakradhari Sharan Singh, J)

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