

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5923 of 2015

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1. Indrajesh Kumar, son of Prabhunath Singh, resident of New Karman Tola, Near Shanti Bhawan, P.S. Nawada, Arrah, District Bhojpur.

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The District Magistrate, Bhojpur Arrah.
4. The Circle Officer, Arrah, District Bhojpur.
5. Arrah Municipal Corporation, through its Chief Executive Officer, Arrah, District Bhojpur.
6. The Civil Surgeon-cum-Chief Medical Officer, Bhojpur, Arrah.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Indrajesh Kumar
For the Respondent State : Mr. D.K. Sinha, AAG-2
For the Respondent Corporation: Mr. Bishwa Bibhuti Kuwar Singh

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 19-04-2016 Heard Mr. Indrajesh Kumar, learned Counsel for the petitioner, and Mr. D.K.Sinha, learned Additional Advocate General No. 2, appearing for the State-respondents. Heard also Mr. Bishwa Bibhuti Kuwar Singh, learned Counsel for the respondent 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 drainage.

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.3, namely, District Magistrate, Bhojpur, Arrah, and respondent No.5, namely, Chief Executive Officer, Arrah Municipal Corporation, District Bhojpur, 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)

(Samarendra Pratap Singh, J)

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