

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5647 of 2015

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1. Vidhya Bhushan Kumar, Son of Sri Vinod Verma, resident of village- Ghaurbigha, P.S.- Rajgir, Distt- Nalanda.
 2. Md. Riaz, Son of Late Md. Moin Uddin, resident of village- Gagan Diwan, P.S- Laheri, Distt- Nalanda.

.... Petitioners

Versus

1. The State of Bihar, through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna-800015.
2. The Principal Secretary Road Construction Department, Govt. of Bihar, Old Secretariat, Patna-800015.
3. The District Magistrate, Nalanda at Bihar Sharif.
4. Superintendent of Police, Nalanda.
5. Sub-Divisional-Officer, Bihar Sharif.
6. Circle Officer, Bihar Sharif.
7. Md. Syed Surf, S/O- Syed Abunasar, resident of village- Panesha, P.O + P.S- Nalanda, Distt- Nalanda.
8. Md. Syed Sagir, S/O- Abual Hasan, resident of village- Gagan Diwan, Post- Bihar Sharif, P.S- Laheri, Distt- Nalanda.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Awadhesh Prasad Sinha
For the Respondent/s : Mr. J.S. Barnwal, GA-5

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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. Awadhesh Prasad Sinha, learned counsel for the petitioners, and Mr. J.S.Barnwal, learned GA-5, 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.3, namely, District Magistrate, Nalanda at Bihar Sharif, and respondent No.5, namely, Sub-Divisional Officer, Bihar Sharif, 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)

A.I./-

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