

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17592 of 2015

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Pramod Kumar Bharti, Son of Ram Narayan Bharti, Resident of village-Samardah Post Office Shaharkola, P.S. Basantpur, District Siwan Ward Member of Gram Panchayat Raj Kanhauli.

.... Petitioner

Versus

1. The State of Bihar
2. The Commissioner Saran at Chapra.
3. The Collector Cum District Magistrate, Siwan.
4. The Sub Divisional Officer Maharajganj, Siwan
5. The Anchal Adhikari Basantpur, Siwan
6. Bikendra Prasad Kurmi.
7. Sonu Kumar Kurmi. Serial No. 6 and 7 are Sons of Jawhar Kurmi Resident of Village- Samardah Post Office Shaharkola, P.S. Basantpur, District Siwan Pin Code 841406.

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Ashok Kumar, Advocate
For the Respondents-State : Mr. Roy Shivajee Nath, A.A.G.3

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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: 30-01-2016

Heard Mr. Ashok Kumar, learned Counsel, appearing on behalf of the petitioner, and Mr. Roy Shivajee Nath, learned Additional Advocate General No.3, appearing on behalf of the State-respondents.

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 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 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.4, namely, Sub-Divisional Officer, Maharajganj, Siwan, 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)

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