

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7849 of 2017

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Siya Devi, W/o Sri Sanjay Kumar, R/o Village- Bankipur Gorakh, P.S.- Fatuha,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Collector Patna.
2. The Additional Collector, Patna.
3. The Sub Divisional Officer, Patna City.
4. The Circle Officer, Fatuha.
5. Vijay Sahni,
6. Rajesh Sahni, Both son of Late Dayanand Sahni, R/o Sammaspur, Fatuha,
District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 22-06-2017

Taking note of the fact that the competent authority,
namely, Circle Officer, Fatuha (Patna) is already seized of the matter,
as is evident from Annexure-13 available at page 26, and has issued
notice to the private respondents for removal of encroachment, for the
present, in view of the aforesaid, no *mandamus* is required to be
issued in the matter. Interest of justice would be made in case the
competent authority, namely, Respondent No. 4 who is seized of the
matter is directed to proceed in accordance with law, hear all
concerned and decide the issue pending before him for encroachment



in accordance to law within a period of three months from the date of filing of certified copy of this order. Needless to emphasize that this Court has not expressed any opinion on the merits of the allegations made in the writ petition and it is exclusively for the competent statutory authority to deal with the matter in accordance with law.

With the aforesaid, the matter stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	28.06.2017
Transmission Date	

