

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1971 of 2017

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Shambhu Sah son of Ramdeep Sah, R/O. village Subhai, P.O. Prem Nagar,
P.S. Dumra, District Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar Through The Principal Secretary, Revenue Deptt. & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate

For the Respondent/s : Mr. Subhash Pd. Yadav (GP-15)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-11-2017 Respondent No.4 the Sub-Divisional Officer, Sadar
Sitamarhi, passed order in exercise of power under Section 133
Cr.P.C. calling upon respondent No.7 Chandeshwar Sah to
remove encroachment/nuisance from the referred public land in
Case No.963 of 2015 vide Annexure-3.

This writ application has been preferred for issuance
of mandamus against the respondents for compliance of the
aforesaid order.

There is provision under Section 135 Cr.P.C. to ensure
compliance of the order passed under Section 133 Cr.P.C. and
there is mention of consequences of non-compliance of the order
in Section 136 Cr.P.C. In the circumstances, the petitioner may
approach the appropriate authority for ensuring compliance of the
order passed by respondent No.4.



Since there is statutory remedy to the petitioner, this writ application is disposed of without further order.

(Birendra Kumar, J)

Mkr./-

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