

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.408 of 2017

In

Civil Writ Jurisdiction Case No. 5581 of 2011

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Nagendra Kumar Singh son of Shri Uday Bahadur Singh, resident of village Bhatwalia, P.S. Sangrampur, District, East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

2. Mr. Abhijit Kumar Sinha, the District Magistrate, East Champaran, (Motihari)

3. Mr. Raghunath Tiwary, the Circle Officer, Sangrampur, District East Champaran (Motihari)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Adv.

For the Respondent/s : Mr. Md. Khurshid Alam, AAG 12

Mr. Rakesh Raja, Adv.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

6 04-12-2017

In pursuance of order dated 20.11.2017, the District Magistrate,

East Champaran as well as the Circle officer, Sangrampur, District East Champaran (Motihari) are personally present in Court today and have filed a show cause clearly indicating that all encroachments which were directed to be removed in pursuance of order dated 30.01.2012 passed in C.W.J.C. No. 5581 of 2011 have now been removed and no other encroachments on public road remains. Thus, there has been full and final compliance of the order and whatever hindrance is there would be erased and removed very shortly.

Learned counsel for the petitioner submits that the same is virtually true and accepted that certain encroachments made by those private persons are still existent on their private land which may also be removed.

However, learned AAG -12 submits that the same can be made only after the petitioner approaches the appropriate authority which will be considered in accordance with law and such encroachments would also be removed, if existent.



In view of the clear stand made by the State and the petitioner agreeing that much of the encroachment have already been removed, the present contempt application stands disposed of and the show cause filed by the State is accepted.

(Anjana Mishra, J)

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