

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13683 of 2016

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Pascal Peter Osta, aged about 60 years, son of Late Francis Peter, resident of Mohalla - Christion Colony, Kurji, P.O. Sadaquat Ashram, P.S. Kurji District-Patna- 10. At Present, President of I.J.E. Society & Principal of the infant Jesees School, Tehrighat , Patna City run and Managed by the infant Jesees Educational Society, Patna-1

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Urban Development Corporation, Govt. of Bihar, Patna.
3. The District Magistrate, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Mahtab Ahmad, Advocate

For the Respondent/s : Mr. Anujit Sinha, AC to PAAG-2

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 19-06-2017

Inter alia contending that there is encroachment in a playground attached to an institute, namely Infant Jesus School, Patna City, this writ petition has been filed. Apart from the fact that the State Government in the counter affidavit filed denied the assertions of encroachment in the play ground in question, the fact remains that the playground in question pertains to an institute, namely the private institute may be affiliated to Central Board of Secondary Education, it is not controlled and owned by the State Government and in case there is any encroachment in such a private institute or private property, it is for the institute to take steps and



the petitioner, if authorised, to file a complaint under the Bihar Public Land Encroachment Act for removal of the same.

With the aforesaid, finding no indulgence to be made into the matter, the writ petition stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.06.2017
Transmission Date	

