

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5747 of 2017

- =====
1. Satto Thakur, Son of Sarjug Thakur, Resident of Village- Simri, Post Office and Police Station- Simri, District- Darbhanga.
 2. Ejaj Athar @ Babloo, Son of Late Sarfraj Athar, Resident of Village- Birdipur, Post Office- Arai, Police Station- Simri, District- Darbhanga.
 3. Amarnath Thakur, Son of Shyam Sundar Thakur, Resident of Village- Hanuman Nagar, Post Office- Kanshi Simri, Police Station- Singhwara, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna.
2. The District Magistrate, Darbhanga.
3. The Superintendent of Police, Darbhanga.
4. The District Education Officer, Darbhanga.
5. The Sub-Divisional Officer, Darbhanga Sadar, District- Darbhanga.
6. The Anchaladhikari, Singhwara Anchal, District- Darbhanga.
7. The Officer-in-charge, Singhwara Police Station, District- Darbhanga.
8. Md. Jahangir, Son of Late Chhedi, Resident of Village- Simri, Police Station- Simri, District- Darbhanga.
9. Bibi Akhtar Khatoon, Wife of Md. Salam, Resident of Village- Simri, Police Station- Simri, District- Darbhanga.
10. Md. Moti Khan, Son of Late Asin, Resident of Village- Simri, Police Station- Simri, District- Darbhanga.
11. Md. Mangal, Son of Badru Rakshband, Resident of Village- Simri, Police Station- Simri, District- Darbhanga.
12. Md. Chunna, Son of Md. Khalil, Resident of Village- Simri, Police Station- Simri, District- Darbhanga.
13. Md. Quayyum, Son of Md. Aziz, Resident of Village- Simri, Police Station- Simri, District- Darbhanga.
14. Mohan Prasad, Son of Late Nunoo Prasad, Presently residing at Balbhadrapur, Bramasthan, District- Laheriyasarai.



.... 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 SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 16-05-2017

Inter alia contending that in Khata No. 1642, Plot No. 3771, situated in Mauza Simari, Anchal- Singhwara, District- Darbhanga certain constructions are being made by the private respondents. The area in question is a playground attached to a school and even the Principal has made a complaint to the District Magistrate about encroachment and inspite thereof nothing has been done by the competent authority, this petition has been filed in public interest seeking removal of the encroachment from the playground in question.

Taking note of the grievance made by the petitioners and the fact that the Principal of the Institute has already requested the competent authority, namely, Respondent Nos. 5 and 6 to look into the matter, for the present without entering into the controversy on merit and without making any observation with regard to the allegations levelled, we deem it appropriate to direct the petitioners to file copy of this order along with relevant documents before



Respondent Nos. 5 and 6 and the State respondent shall proceed to decide the question of encroachment in accordance with law after hearing all concerned and following the due process of law, preferably within a period of six months from the date of receipt of the certified copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	20.05.2017
Transmission Date	

