

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8734 of 2017

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Jitendra Kumar, Son of- Mathura Prasad, resident of Mohalla- Company Sarai,
P.S.- Model Thana, Sasaram, District- Rohtas (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, District- Rohtas (Sasaram).
2. The Sub Divisional Magistrate, Sasaram Town, P.S.- Model Town, District- Rohtas (Sasaram).
3. The Circle Officer, P.S.- Model Town, Rohtas (Sasaram), District- Rohtas (Sasaram).
4. The Chairman, Municipal Corporation, Sasaram (Rohtas), District- Rohtas (Sasaram).
5. The Officer in- Charge, Rohtas (Sasaram) Police, P.S.- Model Police Station, District- Rohtas (Sasaram).
6. Krishna Kumar Singh, Son of- Late Bhole Singh, resident of Village- Darigaon, P.S.- Darigaon, District- Rohtas, at present resident of Mohalla- Company Sarai, Ward No.- 2, P.S.- Model Thana, District- Rohtas (Sasaram).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Respondent/s : Mr. MD. KHURSHID ALAM- AAG12

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-07-2017

Inter alia contending that the encroachment has been made by the private respondent and in spite of representation being made the encroachment is not being removed, this petition has been filed in public interest.

Considering the fact that for removal of the encroachment in a public land statutory remedy is available to the petitioner under the Bihar Public Land Encroachment Act, we are not



inclined to interfere into the matter in public interest litigation. The petitioner may file certified copy of the order along with appropriate application before respondent No. 3, the statutory authority empowered to remove the encroachment from the government land. On the same being done, respondent No. 3 shall proceed to decide the issue, in accordance with law after hearing all concerned, within a period of three months.

With the aforesaid, the application stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01/08/2017
Transmission Date	NA

