

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11036 of 2017

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1. Ashok Kumar Singh, Ex Petty Officer son of Capt. Late Ram Dhari Singh, resident of Mohalla- Yadav Sadan, Dhaneshwari Nagar, (Balaji L.T.I.), P.O.- Danapur, District- Patna (Bihar).

.... Petitioner/s

Versus

1. The Union of India through the Defence Secretary, Ministry of Defence Secretary, Ministry of Defence, South Block, Army H.Q., Defence, H.Q., New Delhi- 110011
2. The General Officer Commanding Sub Area H.Q. (J & B), Danapur Cantt. Patna (Bihar).
3. The State of Bihar through the Chief Secretary, Government of Home, Patna (Bihar).
4. The District Magistrate, District- Patna (Bihar).
5. The Director, State Sainik Board, Near Lalit Bhawan, Baily Road, Patna (Bihar).
6. The Circle Officer, Patna Sadar, District- Patna (Bihar).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Jha
For the Respondent/s : Mr. Awadhesh Pandey, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 13-12-2017 Having heard the learned counsel for the petitioner, we are not inclined to interfere in the matter of public interest litigation with regard to removal of encroachment in a building under the control of the Army authorities and further direction to hand over the building to the authorities of the Jharkhand Government and issued in question of a policy matter coming within the domain of Govt. of India.



We are not inclined to interfere into the matter in public interest of the nature of which exercising extraordinary jurisdiction under Article 226 of the Constitution of India. The petitioner may take up issue of the authority of the Govt. of India.

Thus, this writ petition is dismissed with the aforesaid liberty.

(Rajendra Menon, CJ)

Sanjeev/-

(Anil Kumar Upadhyay, J)

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