

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3131 of 2014

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Aman Kumar, S/O Late Sachidanand Singh, Resident of Village- Ieethari,
P.O- Iccthari, P.S- Ramnagar, Distt- Munger.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Munger.
3. The Circle Officer, Anchal Jamalpur, Munger.
4. The Gram Kachhari, Gram Panchayat, Ieethari, Jamalpur, Munger.
Through The Sarpanch Gram Kachahari, Gram Panchayat, Ieethari,
P.O- Ieethari, P.S- Ramnagar, Distt- Munger.
5. Krishnanand Singh S/O Late Bhomi Singh
6. Gopal Singh S/O Late Jayram Singh
Both resident of Vill-P.O- Ieethari, P.S- New Ramnagar, District-
Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Asha Kumari, Adv.
For the State : Mr. Avinash Kumar, AC to SC-15
For Res. Nos. 5 and 6 : Mr. Shree Ganesh, Adv.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-06-2017 Heard learned Counsel appearing on behalf of the petitioner and learned AC to SC-15 appearing on behalf of Respondent Nos.1 to 4 as well as learned Counsel appearing on behalf of Respondent Nos.5 and 6.

The present writ application has been filed for implementation of the order dated 24/02/2012, as contained in Annexure-3, passed by Respondent No.4, the Sarpanch, Gram Kachahari, Gram Panchayat, Ieethari, whereby, Respondent No.4, directed to vacate and remove the illegal obstruction made by



Respondent Nos. 5 and 6 from the land pertaining to Khata No.203, Plot No.578, situated in Village – Ieethari, in the District of Munger.

Prima facie, it appears that the dispute is civil in nature between the petitioner and Respondent Nos. 5 and 6. However, collaterally, a claim has been made that public path has been encroached by Respondent Nos. 5 and 6. In either case, the remedy of the petitioner does not lie before this Court.

In the circumstances, the writ application is disposed of with a liberty to the petitioner to seek remedy before the appropriate forum.

Accordingly, the writ application is disposed of.

(Dinesh Kumar Singh, J)

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