

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18720 of 2015

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1. Kamal Deo Singh, Son of Sri Deo Prasad
 2. Krishna Paswan, Son of Late Chhotan Paswan
 3. Anju Devi, Wife of Late Ram Janam Paswan
 4. Raja Ram Paswan Son of Late Chhotan Paswan
 5. Chandra Chaudhary, Son of Late Madha Chaudhary
 6. Narayan Kumar @ Niraj Kumar, Son of Late Brij Nandan Singh
- All residents of Village Machhariyawan, P.S. - Fatuha, Dist. - Patna.

.... Petitioners

Versus

1. The State of Bihar, through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Patna.
3. The Sub Divisional Magistrate, Patna City, Patna.
4. The Deputy Collector Land and Reforms, Patna City, Patna.
5. The Superintendent of Police (Rural), Patna.
6. The Deputy Superintendent of Police, Fatuha, Patna.
7. The Circle Officer, Daniyawan, Patna.
8. The Thanadhyaksha, Fatuha Police Station, Patna.
9. Ashok Singh son of Late Chandrika Singh
10. Munna Thakur son of Late Mangal Thakur
11. Hare Ram Hare Krishna Son of Late Tulsi Narayan Mahto
12. Gauri Shankar Son of Hare Ram Hare Krishna
13. Shiv Shankar Son of Hare Ram Hare Krishna
14. Ajay Kumar Son of Sri Ramji Singh Mukhiya
15. Bindi Chaudhary son of Late Brispat Chaudhary
16. Om Saw son of Late Prabhu Saw
17. Dinanath Thakur Son of Munna Thakur
18. Ram Balak Chaudhary S/o Late Shival Chaudhary
19. Mithilesh Chaudhary Son of Late Bilash Chaudhary
20. Vikash Chaudhary S/o Late Birju Chaudhary
21. Baleshwar Mahto S/o Late Shivnandan Mahto
22. Meghan Mahto S/o Late Bhajan Mahto
23. Ashok Mahto S/o Late Bhajan Mahto
24. Ram Nath Mahto S/o Late Bhajan Mahto
25. Laljee Mahto S/o Late Bhajan Mahto
26. Binda Mahto S/o Madan Mahto @ Mathan Mahto
27. Pintu Kumar S/o Binda Mahto
28. Mantu Kumar S/o Binda Mahto
29. Ravi Shankar @ Manoj Kumar S/o Shiv Shankar Mahto
30. Nandu Chaudhary S/o Late Hari Chaudhary
31. Mahendra Mistri S/o Late Yadu Mistri
32. Navin Kumar S/o Mahendra Mistri
33. Siya Sharan Singh Son of Late Rewa Singh
34. Girish Pandey S/o Late Brahamdeo Pandey All the Private parties are resident



of Village Machhariyavan, P.S. - Fatuha, District - Patna.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Basant Kumar Tripathy, Advocate.
For the State : Mr. Alok Ranjan, AC to GA-6.
For the Resp nos. 16, 20 and 34 : Mr. Shyamal Krishna Sinha.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 11-01-2017

The prayer in the present writ application is to issue a direction to the respondent authorities to demolish the illegal constructions over the public passage situated in the village Machhariyava, Plot No. 1512, P.S.-27, Khata No. 137, P.S. - Fatuha, District – Patna.

2. In the supplementary counter affidavit dated 30.08.2016 filed on behalf of respondent no. 7, it has been stated that the encroachment on the land in question was removed on 17.08.2016. The process of removal of encroachment was peaceful and videographed.

3. In view of the uncontroverted assertions in the supplementary counter affidavit, we find that no further direction is necessitated in the present writ application. Accordingly, the present writ application is dismissed.



4. However, we may observe that the respondents shall ensure that the land is not encroached again by the anti-social elements.

(Hemant Gupta, ACJ)

(Dinesh Kumar Singh, J)

Mishra

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	13.01.2017
Transmission Date	

