

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15495 of 2015

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1. Peoples Union for Civil Liberties, Bihar, 204, Nilgiri Bhawan, Boring Canal Road, Patna-1, P.S. Buddha Colony, Town and District Patna through its General Secretary, Praveen Kumar Madhu.
 2. Praveen Kumar Madhu S/o Sri Binod Prasad Resident of Mohalla Jamunapur, P.S. Malsalami, Town Patna City, District Patna, At present General Secretary, Peoples' Union for Civil Liberties, Bihar, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development Department, Government of Bihar, Patna.
3. The Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
4. The Commissioner, Patna.
5. The District Magistrate, Patna.
6. The Sub Divisional Officer, Patna Sadar, Patna.
7. The Circle Officer, Patna Sadar, Patna.
8. The Deputy Collector, Department of Revenue and Land Reforms, District Patna.
9. The Superintendent of Police, Patna (Town).
10. The Officer-in-Charge, Pirbahore Police Station, Town and District Patna.

.... 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 ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 08-08-2017

Petitioners are inhabitants over an area where
inhabitation is not permissible and, therefore, in the drive for removal
of encroachment petitioners are being removed from the area where
they are staying as encroachers. Placing reliance on the judgment of
the Supreme Court in the case of **Olga Tellis and others Vs.**



Bombay Municipal Corporation and others- A.I.R. 1986 Supreme Court 180 petitioners claim that they should be rehabilitated in accordance to the directive issued by the Supreme Court.

For rehabilitation, the State Government itself has issued a scheme and, therefore, keeping in view the aforesaid, the petitioner should approach the State Government and we are hopeful that the State Government will take steps as are permissible under law and the scheme framed by the State Government for rehabilitation of the persons affected by the project in question for removal of encroachment within a period of six months.

With liberty to the petitioners to approach the State Government and seek rehabilitation of the persons in accordance with law, we dispose of the matter.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	11.08.2017
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