

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3956 of 2018

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Rahul Kumar @ Rahul Raj Sharma, S/o Late Sidhnath Sharma, R/o Village-
Neema, P.O.- Nadawan, P.S.- Dhanarua, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary.
2. The District Magistrate-cum-Collector, Patna.
3. The S.D.O. Masaurhi, Patna.
4. The D.C.L.R., Masaurhi, Patna.
5. The Circle Officer, Dhanarua, Patna.
6. Executive Officer, Nagar Parishad, Masaurhi, Patna.
7. Executive Engineer, P.H.E.D., Dhanarua, Patna.
8. Chandra Bhushan Singh, S/o Late Binda Singh, R/o Village- Neema, P.O.-
Nadawan, P.S.- Dhanarua, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam -AAG12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-03-2018

This Public Interest Litigation has been filed
making a complaint that there is encroachment upon



Government public land in Neema Mauza Thana No. 163, Khata No. 231, Plot No. 1490 and because of the encroachment which is on National Highway No. 83 smooth functioning of the road and free movement of traffic from Patna to Gaya via Masaurhi is being hindered. Seeking removal of the encroachment and further expedite hearing of Encroachment Case No. 60-2016-17 pending before C.O. Dhanaura, the writ petition has been filed. Second relief claimed is to investigate into various irregularities with regard to use of public fund.

Having considered the submissions made and the material available on record, as far as removal of encroachment is concerned, we direct the Circle Officer concerned to expedite disposal of Encroachment Case No. 60/2016-17 after hearing all concerned preferably within a period of three months from the date of receipt of certified copy of this order. That apart, in case there is any other encroachment on Government land, the same be also removed after registering proceedings under the Bihar Public Land Encroachment Act and all encroachments be removed within a period of six months after registration of such case. As far as financial irregularities are concerned, on the basis of vague and unspecified allegation made in the writ petition in a Public Interest Petition, we are not inclined to go into those



issues. Petitioner may file a statutory complaint before the vigilance authorities of the State or the Lokayukta and it would be for the said authorities to go into the allegation of financial irregularities.

With the aforesaid liberty to the petitioner, the writ petition stands disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	29.03.2018
Transmission Date	

