

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8650 of 2018

Nasim Ahmed, Son of late Abdul Moin, resident of Mohalla P.W.D. Road,
Sekh Toli Maripur, Ward No.10, P.S. Kazimohamadpur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar at Patna.
 2. The District Magistrate, Muzaffarpur
 3. The Sub-Divisional Magistrate, East, Muzaffarpur
 4. The Chairman-cum-Commissioner, Muzaffarpur Municipal Corporation, Muzaffarpur.
 5. The Circle Officer, Mushari Anchal Muzaffarpur
 6. The Ward Counselor, Ward No. 10, Municipal Corporation, Muzaffarpur.
 7. Sakil Ahmad, Son of Md. Yashin
 8. Sakila Khatoon, wife of Md. Sakil Ahmad
 9. Sahid Kalim
 10. Hamid Kalim
 11. Khalid Kalim
 12. Wasim Ahmad @ Wasim Akram
- respondent nos. 9 to 12 are sons of Sakil Ahmad, all are resident of Mohalla-Sekh Toli, P.W.D Road, Maripur, P.O. Head Post Office, Muzaffarpur, P.S.-Kazimohammadpur, District-Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nachiketa Jha, Adv.
For the State	:	Ms. Prakritita Sharma, AC to SC-25
For respondent no.4.	:	Mr. Anurag Saurav, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

Date : 10-05-2018

Heard learned counsels for the petitioner, respondent no.4 and learned AC to SC-25 for the respondent-State.

In view of the nature of order this Court intends to pass, this Court is not inclined to issue notice to private respondent nos. 7 to 12.

The present writ application has been filed for a



direction to the respondent authorities to get the encroachment removed from the public road/land situated in front of the house of the petitioner in Ward No.10, Khata No.487, Plot No.174 as the same has been encroached upon by private respondent nos. 7 to 12.

However, learned counsel for the petitioner confines his prayer only to the extent of demarcation of the land in question for which an application was submitted on 06.03.2017, as contained in Annexure-1, before the respondent no.5, the Circle Officer, Mushari, and on 07.03.2017, as contained in Annexure-2 before the Municipal Corporation, Muzaffarpur for measurement of the land in question.

Learned counsel appearing on behalf of the respondent-State as well as the Municipal Corporation, Muzaffarpur submits that they will get the land measured and demarcated within a specified time frame.

Under the circumstances, it is expected from the respondent no. 4, the Chairman-cum-Commissioner, Muzaffarpur Municipal Corporation and respondent no.5, the Circle Officer, Mushari Anchal to get the land in question measured and demarcated within a period of eight weeks from the date of receipt/production of a copy of this order, after



giving due opportunity of being heard to all affected persons, including the petitioner, provided the petitioner deposits the required cost for such measurement and demarcation.

The writ application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	NA
CAV DATE	NA
Uploading Date	13.05.2018
Transmission Date	NA

