

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3845 of 2018

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Wasi @ Md. Wasi Ahmad, Son of Md. Raju Mian, Resident of Hajam Toli,
Barhampura, Mehdi Hasan Road, M.I.T., Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Muzaffarpur.
2. The District Magistrate-cum-Collector, Muzaffarpur.
3. The Executive Engineer, P.W.D. (Road Construction), Muzaffarpur.
4. The Additional Collector, Land Reform, Muzaffarpur.
5. Dukandar Sangh, Companybag Road, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Syed Arshad Alam, Advocate
For the Respondent/s : Mr. Partha Sarthi -GA-4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-04-2018

Inter alia contending that various shops situated in the area in question are likely to be removed under the Bihar Public Land Encroachment Act, 1956, petitioner claiming himself to be a socially active and public spirited person has filed this writ petition under Article 226 of the Constitution of India in public interest and wants restraining of the proposed or the likely removal of the shops on the ground that the shopkeepers are carrying out their business for more than 30 years and if they are removed, it would cause adverse effect to them in their life and professional activities.



Taking note of the grievance of the petitioner, we are not inclined to deal with the issue in a Public Interest Litigation at the instance of a third person. In case the shopkeepers are adversely affected, have any grievance in the matter, they are at liberty to challenge the action as and when taken in accordance with law before an appropriate court or forum.

Granting the aforesaid liberty to the proposed or the so-called persons the matter 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	13.04.2018
Transmission Date	

