

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1706 of 2019

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Abhay Kumar Brajesh(male), aged about 41 years, S/o Ramji Prasad, resident of village-Kashmiri Chak, P.S.-Noorsarai, Block- Noorsarai, Distt.- Nalanda.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Land Reform Department, Govt. of Bihar, Patna.
2. The District Magistrate, Nalanda.
3. The Addl. Collector (Public Grievance Redressal), Nalanda.
4. The Sub-Divisional Officer Biharsharif, Nalanda.
5. The Circle Officer, Noorsarai, Nalanda.
6. The Officer In-Charge, Noorsarai Police Station, Nalanda.
7. Birendra Prasad, S/o Bandhu Mahto, resident of Village-Kashmiri Chak, P.S.+ Block-Noorsarai, Distt.-Nalanda.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Sanjeev Nikesh, Advocate.
For the Respondents : Mr.Sajid Salim Khan, S.C. 25.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The following relief has been sought for by the
petitioner in the present writ application.

“1(I) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the respondent authorities to remove the encroachment pertain to Village-Kashmirichak Police Station-Noorsarai, District-Nalanda from South and West of Plot No. 378 measuring an area of 2 Decimal which is recorded as Gali which is used by the people of village for their conveyance.”



It is submitted by learned counsel for the petitioner that vide Letter No. 610 dated 04.05.2018, a final order has already been passed by the Anchal Adhikari, Noorsarai, vide Annexure- P/10 to the present writ application, for removal of encroachment in question.

The petitioner is directed to file a fresh representation before the respondent no. 2 The District Magistrate, Nalanda, including the order contained in Letter No. 610 dated 04.05.2018 vide Annexure-P/10 to the present application, within a period of thirty days from today. The respondent no. 2 The District Magistrate, Nalanda, shall look into the matter and pass an appropriate order in accordance with law after giving an opportunity to private respondent no. 7 Birendra Prasad, Son of Bandhu Mahto, R/V-Kashmiri Chak, P.S.+Block-Noorsarai, District-Nalanda, within a period of four months from the date of filing of such representation.

With the aforesaid observations and directions, the present writ application stands disposed of.

(Sudhir Singh, J)

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