

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5428 of 2018

1. Vinod Kumar Shrivastava son of Late Ram Babu Prasad,
2. Rajendra Singh, son of Late Jagdish Singh,
3. Mundrika Mahto, son of Late Madhuban Mahto
4. Ganesh Sah, son of Late Ramashish Sah, all are Residents of Village- Sadhpur, Police Station- Dadupur, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Rural Development Department, Bihar, Patna.
3. The Commissioner, Saran Division, Saran at Chapra.
4. The District Magistrate, Saran at Chapra.
5. The Additional Collector, Saran at Chapra.
6. The Sub Divisional Officer cum Lok Sikayat Niwaran Padadhihari, Sadar, Saran at Chapra.
7. The Circle Officer, Manjhi, Saran.
8. The Mukhiya, Sadhpur Gogi Panchayat Raj, Saran.
9. The Bhola Sah, son of Late Kishun Sah, Residents of Village- Sadhpur, Police Station- Dadupur, District- Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar, Advocate
For the Respondent/s : Mr.Vinay Kriti Singh -GA 2

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 19-07-2019

Heard Mr. Narendra Kumar, learned counsel for the petitioners and Mr. Vinay Kumar Pandey, learned GA 2 for the State.

The petitioners herein complain of encroachment over a public land bearing Khata No. 189, Survey No. 1150, under village Sadhpur, P.S. Daudpur in the District of Saran which according to



the petitioners is a public road and has been encroached by the private respondents.

Mr. Pandey in reference to para 7 of his counter affidavit filed in the present proceedings informs that Encroachment Case no. 6/2016-17 has been initiated by the Circle Officer, Manjhi, the respondent no. 7 who admits that there is encroachment on the land and would be removed on measurement.

In such view of the matter and since there is no contest on the complaint made, we dispose of the writ petition with direction to the respondent no. 7 to dispose of the encroachment case in accordance with law and after giving due opportunity of hearing to the complainant as well as the alleged encroachers including the respondent no. 9 within a period of six months from the date of receipt/production of a copy of this order.

With the observations and directions above, writ petition is disposed of.

(Jyoti Saran, J)

(Partha Sarthy, J)

Prakash/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	26.07.2019
Transmission Date	

