

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4048 of 2019

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Jagjivan Nayak Son of Hussaini Ram Resident of Takia Bazar, Police Station-
Sasaram (Model), District- Rohtas (Sasaram)

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development
Department, Government of Bihar, Patna
2. The District Magistrate, Rohtas (Sasaram)
3. The Sub-Divisional Officer, Sasaram
4. Nagar Parishad, Sasaram through Executive Officer, Rohtas (Sasaram)
5. The Executive Officer, Nagar Parishad, Sasaram

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Mithilesh Kumar Rai, Advocate
For Nagar Parishad, Sasaram		
(Respondent No.5)	:	Mr. Vijay Shankar Upadhyay, Advocate
For the State	:	Mr. Kinkar Kumar, SC-9

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-03-2019 Heard the parties.

In the present writ application, the petitioner has prayed for issuance of a writ in the nature of mandamus commanding and directing the respondents to remove encroachment existing on Plot No.258 in Ward No.01, upon a drainage (nala) running from Takia Talab to main road and also encroachment upon 3 feet road of public passage in Takia (Ward No.02), which have also been confirmed by the officials of Nagar Parishad.

On the basis of the complaint made by the petitioner before the Respondent No.4 i.e. Nagar Parishad, Sasaram



through Executive Officer, Rohtas (Sasaram), a preliminary report was submitted by a competent authority indicating that the encroachment was made on the public land. Thereafter a notice was also issued upon the encroachers, but till date encroachment in question has not been removed.

Considering the aforesaid facts and circumstances of the case, the petitioner is directed to file a fresh application/representation before the Respondent No.5 i.e. The Executive Officer, Nagar Parishad, Sasaram within a period of one month from today. The Respondent No.5 shall consider the application/representation filed on behalf of the petitioner and pass an appropriate order in accordance with law, after giving opportunity to all concerned parties, within a period of four months from the date of filing of such application/representation.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

Narendra/-

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