

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7245 of 2019

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1. Sunil Kumar Singh, Son of Mahesh Prasad Singh, resident of Village- Pipra Bhagwatchak, P.O.- Naroun, P.S. Shambhuganj, District- Banka. Presently Headmaster Shree Gandhi Nawal High School + 2, Pipra Bhagwatchak (Banka).
 2. Chandan Kumar Singh, Son of Late Radha Ballav Singh, resident of Village- Sahmora, P.O.- Shahpur, P.S. Sonbarsa Raj, District Saharsa. Presently Assistant Teacher, Shree Gandhi Nawal High School +2, Pipra Bhagawatchak (Banka).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Chairman, Bihar Bhoodan Yagya Committee, Patna.
3. The Office Mantri, Bhoodan Yagya Committee, Banka.
4. The Collector, Banka.
5. The Sub Divisional Officer, Banka.
6. The Circle Officer, Shambhuganj, Banka.
7. Pramod Das, Son of Ganesh Das, resident of Village Chak Bhagwat, P.O. Naroun, P.S. Shambhuganj, Anchal Shambhuganj, District- Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar
For the Respondent/s : Mr. Prema Anand, AC to GP-18

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-04-2019 Heard learned counsel for the petitioners and the State.

2. The grievance of the petitioners in the instant writ application is that the play ground of the school in question has been encroached by private respondent (respondent no.6) and despite representation filed by the petitioners before the District Magistrate, Banka, no action was taken for removal of the



encroachment.

3. Considering the fact that representation (Annexure-5/1) is addressed to the District Magistrate, Banka for removal of encroachment over the play ground of the school, the present writ application is disposed of with a direction to the District Magistrate, Banka to enquire into the matter and if it is found that encroachment exist over the play ground of the school, he/she shall take appropriate action for removal of encroachment in accordance with law after opportunity of hearing to the concerned person, who is likely to be adversely affected by such decision. Appropriate decision on the encroachment over the play ground of the school must be taken by the District Magistrate, Banka at the earliest preferably within a period of four months from the date of receipt/production of a copy of this order.

4. With the aforesaid, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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