

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13382 of 2019

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Ghurdaur Road Bachao Samiti Digha Patna through its President Gopal Singh aged about 45 years (M), Son of Raghu Nath Singh, Resident of Ramjichak, Digha, Bataganj, P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Road Construction, Government of Bihar, Patna.
4. The Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
5. The Secretary, Department of Railway, Union of India, New Delhi.
6. The General Manager, East Central Railway, Sonpur, Hajipur, Vaishali.
7. The Divisional Railway Manager, Danapur Railway Division, Danapur, Patna.
8. The Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
9. The Director, Land Acquisition, Government of Bihar.
10. The Circle Officer, Danapur, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shama Sinha
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

2 13-08-2019 Heard learned counsel for the parties.

The complaint of the petitioner is that railways have encroached on a public land situated on Survey road No.1189 in Thana No.1, Muaza Digha in the town and district of Patna.

According to learned counsel for the petitioner, a



40 ft. road popularly known as Ghurdaur road across the Patliputra Station railway station in the township of Patna is encroached by the railways. The writ petition does not enclose any document which would confirm whether any such complaint is made before the Collector under the Bihar Public Land Encroachment Act, 1956 enabling him to take steps for removal of the encroachment if any.

In such view of the matter we dispose of this writ petition allowing the petitioner to approach the Circle Officer concerned with the complaint made and who shall consider and dispose of the same bearing note of the stipulations present in the Bihar Public Land Encroachment Act, 1956 by affording opportunity of hearing to the complainant as well as the alleged encroachers which disposal be done within 6 months from the date of receipt/ production of a copy of this order.

(Jyoti Saran, J)

(Partha Sarthy, J)

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