

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12275 of 2013

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Md. Sarwar Ali S/O- Md. Ali Khan, R/O- Mohl-Phulwarisarif, Tamtam
Padaw, Kalilpura Road, Kazinagar, P.O.P.S- Phulwarisarif, Distt- Patna

... .. Petitioner

Versus

1. The State of Bihar
2. The Collector, Patna
3. The Sub-Divisional Magistrate, Patna Sadar
4. The Circle Officer, Phulwarisarif, Patna
5. The Officer-In-Charge, Phulwarisarif Police Station, Patna, Distt- Patna
6. Smt. Tasneem Khan W/O- Md. Ali Sah, R/O Mohl- Phulwarisarif, Tamtam
Padaw, Kalilpura Road, Kazinagar, P.O.P.S- Phulwarisarif, Distt- Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey
For the Respondent/s : Mr.Rishiraj Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 04-04-2019 Heard learned counsel for the petitioner and the State.

In the present writ application, the petitioner has prayed for issuance of an appropriate writ in the nature of mandamus directing the respondents to remove the encroachment from the public road, which is encroached by the respondent No. 6 for her personal use. The said road was used by the petitioner and other persons from 1974 and the said road is mentioned in the sale deed of the petitioner as well as respondent No. 6. Further prayer of the petitioner is to restrain the respondent No. 6 from further construction on the road.



Considering the relief sought for, in the present writ application, the petitioner is directed to file a detailed representation within 30 days from today before the Circle Officer, Phulwari Sharif, Patna (respondent No. 4) who shall consider the representation of the petitioner and pass an appropriate order in accordance with law after giving opportunity of hearing to all the concerned parties.

With the aforesaid observation/direction, this writ application stands disposed of.

(Sudhir Singh, J)

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