

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22714 of 2019

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Sudhanshu Shekhar Singh Son of Late R.P. Singh Resident of Kayastha
Tola, Saharsa, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar,
Patna.
2. The Divisional Commissioner, Koshi Division, Saharsa.
3. District Magistrate, Saharsa.
4. Sub Divisional Officer, Saharsa.
5. Executive Officer, Nagar Parishad, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner has prayed for the following reliefs:-

“(1) For issuance of writ in the
nature of Public Interest or any other
appropriate writ(s), order(s), direction(s)
commanding and directing the respondents to
take action against the encroachers who
encroached the public land and roads from



Mira Talkies road, Saharsa to Rahman Chowk, situated at Saharsa Nagar Parishad, Saharsa and constructed their house on the public land and roads causing great hindrance to smooth traffic flow.

(ii) To issue writ of mandamus to the respondent concerned to dispose of the representations filed by the petitioner before Executive Officer, Saharsa Nagar Parishad on 15.5.2019 and District Magistrate, Saharsa to 23.7.2019 to take immediate action against the encroachers and remove them from the public land and road so that the said road may be constructed by P.W.D but the respondents are sitting tight over the matter and public in general are facing difficulties.

(iii) And/or pass such other order or orders as deem fit and proper in the interest of justice.”

We notice that this Court vide order dated 17th August, 2010 passed in C.W.J.C. No.13361 of 2010 (Sudhanshu Shekhar Singh Vs. The State of Bihar & Ors.) has already issued instructions sought to be enforced by way of the instant petition.

Without going into the maintainability of the present petition, we dispose of the same, as prayed for, with the direction to the appropriate authority to consider and decide the



matter within three months.

With the aforesaid observations, this application is
disposed of.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

K.C.Jha/-

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