

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2635 of 2018

Dr. Nagendra Choudhary son of Late Lakshmi Kant Chaudhary, Resident of
Village- Pindaruchh, P.S.- Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Darbhanga.
2. The District Magistrate, Darbhanga.
3. The Superintendent of Police, Darbhanga.
4. The Sub- Divisional Officer, Sadar, Darbhanga.
5. The Deputy Superintendent of Police, Sadar, Darbhanga.
6. The Circle Officer, Keoti Block, Darbhanga.
7. The Officer-in- Charge, Kamtaul Thana, Darbhanga.
8. Amar Nath Chaudhary
9. Shambhu Nath Chaudhary,
10. Pradnath Chaudhary All son of Harendra Nath Chaudhary, Resident of
Village- Pindaruchh, P.S.- Kamtaul, District- Darbhanga.
11. Sumit Kumar Chaudhary, son of Late Upendra Chaudhary
12. Mohan Chaudhary, son of Late Sundar Lal Chaudhary,
13. Sunil Kumar Chaudhary, son of Late Raghuvanshi Chaudhary. All Residents
of Village- Pindaruchh, P.S.- Kamtaul, District- Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar Jha

For the Respondent/s : Mr.Subhash Chandra Yadav -Gp15

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 16-07-2019 The respondents no. 2,4 and 6 have filed a counter-affidavit and in paragraph-12 and 13 thereof it has been stated that by use of police force and J.C.B., the encroachment in question has been removed on 2.7.2018.

The learned counsel for the petitioner submits that the petitioner has got telephonic instructions that the entire encroachment has not been removed, but nonetheless on



account of the statement made in paragraphs 12 and 13, as aforesaid, the petitioner would review the matter and in case the encroachment has not been removed, he shall approach the District Magistrate, Darbhanga for needful action.

Accordingly, the present writ petition stands disposed of, however, with liberty to the petitioner to approach the District Magistrate, Darbhanga in case the encroachments have not been removed and in that event, it will be the responsibility of the District Magistrate, Darbhanga to comply with the orders of this Court and other forum and remove the encroachment forthwith.

At this juncture, the learned counsel appearing for the Intervenor who have filed I.A. No.1 of 2019, submits that the intervenors be granted liberty to seek redressal of their grievances by taking recourse to appropriate remedies available under the law. Liberty so sought is granted.

With the aforesaid directions, the writ petition stands disposed of.

(Mohit Kumar Shah, J)

Tiwary/-

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