

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14556 of 2018

1. Hari Sankar Singh, Son of Shri Kuldip Narayan Singh.
2. Vijay Kumar Thakur, Son of Lalan Thakur.
Both are resident of Village Gaura Dhusahan, Police Station Manjhi,
District- Saran.

... .. Petitioners

Versus

1. The State Of Bihar through the Principal Secretary, Department of Home,
Government of Bihar, Patna.
2. The District Magistrate, Saran.
3. The Sub Divisional Officer, Sadar Chapra, Saran.
4. The Circle Officer, Maujhi, Saran.
5. Surendra Thakur, Son of Late Manan Thakur.
6. Ramlakhi Thakur, Son of Late Indrasan Thakur
7. Brahmanand Thakur, Son of Late Indrasan Thakur
8. Vijay Thakur,
Sl. No. 5 to 8 are resident of Village Gaura Dhusaha, Police Station- Manji,
District- Saran.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Mrityunjay Kumar Tiwary, Adv.
For the Respondents	:	Mr. Prabhat Kumar Verma, AAG-3

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 25.07.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioners and learned
counsel for the respondents.

Petitioners have prayed for the following relief:

“For a direction to the Respondents Authorities to



remove/ to prevent the encroachment between the Public-well and temple of Sankar-Bhagwan-Mandir of the “Aam-Rasta” of village Mauza Gaura – Dhusaha, Thana No. 46, Sruvey No. 1035, Khata No. 149, Rakba Sevan Katha Sixteen Dhur, denoting as “Gair-Mazarua” Aam Rasta in the Khatiyan, because the Private Respondents is obstructing the part of Public-way which passes across the mid of village and it meet in main road out of the village through the Government Primary School, Dhusahan, Manjhi, as admitted by the Respondent authority, and no action has been taken in removing the encroachment as yet.

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes



recourse to such remedies, as are otherwise available in law,
before the appropriate forum, the same shall be dealt with, in
accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

P.K.P./-

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