

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14685 of 2018

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Jagan Prasad S/o Saryu Prasad Resident of Village-Ganghar, P.O. Charan, P.S.
Mali District Aurangabad, Bihar.

... .. Petitioner

Versus

1. The State Of Bihar through Home Department, Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The Circle Officer, Navinagar Block, District Aurangabad.
4. The Sub Divisional Officer, Aurangabad.
5. The District Public Complain Officer, Aurangabad.
6. The Officer in Charge Mali P.S.+ District Aurangabad.
7. Babu Ram S/o Amerika Ram
8. Vimal Chanravansi S/o Late Suyogi Chandravansi
9. Madan Ram S/o Late Laxman Ram. All are Resident of Village-Ganghar
P.O. Charan Kala, P.S. Mali District Aurangabad.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Shailesh Kumar Singh, Adv.
For the Respondents : Mr. Partha Sarthi, GA-4

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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 26.07.2018 is listed for hearing
for the first time today before the Court.

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

Petitioner has prayed for the following reliefs:

“(i) For a direction to the respondent authorities to
remove the encroachment from the Public land i.e.
encroached Khata No. 25 Plot No. 7 and 2 which is



payeen (Drain) and Road in nature.

(ii) For a direction to the respondents authority to take legal action i.e. by filing or lodging the FIR against the private respondent who have encroached the Drain and Road.

(iii) For a direction to the respondent to implement his own order dated 24.11.2017 by it has been observed that there is encroachment on public land by the private respondent.”

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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