

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17727 of 2018

Jantri Prasad Yadav, Son of Late Ambika Prasad Yadav, Resident of Village/
Mohalla- Naya Tola, Kumhrar, P.S.- Agam Kuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. Principal Secretary, Urban Development Department, Govt. of Bihar, Patna.
3. Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
4. Commissioner, Patna Division, Patna.
5. District Magistrate, Patna.
6. Senior Superintendent of Police, Patna.
7. Sub- Divisional Officer, Patna City.
8. Deputy Collector Land Reforms, Patna City.
9. Station House Officer, Agam Kuan Police Station, Patna.
10. Municipal Commissioner, Incharge, Patna City Circle, Municipal Corporation, Patna.
11. Chief Executive Officer, Patna Municipal Corporation, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad, Sr, Advocate
		Mr. Pramod Kumar, Advocate
For the Respondent/s	:	Mr. AC to AAG-11
For the P.M.C.	:	Mr. Yashraj Bardhan, Advocate

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 01.09.2018 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 relief/s:



“For issuance of an appropriate writ directing/ commanding the respondents to clear the Public Road/lane on Plot No. 835 which emerges from old By-Pass Road (Four Lane) and after running a distance of about 350’ (feet) towards south and then takes a turn towards east and after running a distance of 550’ (feet) again takes a turn towards north and covering a distance of 350’ (feet) meets with the old By-Pass Road (Four Lane) which was and is a Public Road and the same be brought to its old Position with full width which is 24’ (feet) and at some place 20’(feet) and at some place 16’ (feet) after removing the encroachment by making construction of wall or by putting up ota (platform) as it existed in the survey map so that it becomes motorable and by an ad interim order the said Road be cleaned during the pendency of this writ application and any other relief or relief’s which the petitioner be found entitled to be granted to him.”

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)

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