

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23101 of 2018

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Ganesh Choudhary son of Late Bali Choudhary resident of village Hata Korar, Police Station Mirganj, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Collector, District Gopalganj.
3. The Sub Divisional Officer, Hathua, District-Gopalganj.
4. The Circle Officer, Hathua District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar
For the Respondent/s : Mr.Partha Sarthi -Ga4

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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 03.12.2018 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:

“For issuance of writ/s commanding
upon the respondents concerned to immediately
get the encroachment removed on survey Plot
No. 408, Thana No. 063, Thana Mirganj, District-
Gopalganj on an area of 1 Acre 18 Decimal by



the encroachment of the same village as the land in question is Gairmazarua Aam Rasta in the Khatiyani which leads to Durga mandir but due to encroachment devotees have to face much but difficulty to reach to the worship place and/or grant any other relief(s) which the petitioner may be entitled to in the facts and circumstances of the case.”

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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