

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16383 of 2018

Chandan Kumar Son of Naresh Thakur, Presently Resident of Village-
Napada, P.S. and P.O.-Muzaffarpur, District-Muzaffarpur Bihar-842001

... .. Petitioner/s

Versus

1. The State Of Bihar through its Chief Secretary.
2. The Principal Secretary, Department of Home, Government of Bihar, Old Secretariat, Patna.
3. The Director General of Police, Bihar, Patna.
4. The District Magistrate, Muzaffarpur, Bihar.
5. The Sub-Divisional Magistrate, Muzaffarpur, Bihar.
6. The Circle Officer (Anchal Adhikari), Mushari, Muzaffarpur, Bihar.
7. Sitaram Mahato, Son of Late Lahuri Mahato resident of Abdul Nagar, Ahiyapur, P.S.-Madhopur, District-Muzaffarpur.

Respondent/s

Appearance :

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

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 16.08.2018 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 in nature of Mandamus for
commanding and directing the Respondent
authorities to remove the encroachment made
upon road by way of constructing a house and is



a public road. The encroachment is apparent through various communication of Respondent authorities. Further, it is prayed for direction to the Respondents to constitute a committee for the purpose to enquire the entire encroachment and/or other reliefs which may be granted 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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