

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16169 of 2018

Ashok Kumar Sah Son of Ram Nandan Sah, resident of Village- Mow
Dheneshwar South, Vidyapati Nagar, Police Station- Vidyapati Nagar,
District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Samastipur.
3. The Superintendent of Police, Samastipur.
4. The Sub-Divisional Officer, Dalsingsarai, Samastipur.
5. The Sub-Divisional Police Officer, Dalsingsarai, Samastipur.
6. The Circle Officer, Vidyapati Nagar, Samastipur.
7. The Officer-in-Charge, Police Station Vidyapati Nagar, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajey Kumar
For the Respondent/s : Mr.Anil Kumar Sinha -Ga1

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 13.08.2018 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 a writ of mandamus
directing the respondents to ensure removal of
encroachment without any further delay from the



public village road relating to Khesra Nos. 4436, 4471, 4008, 4019 and 4035 of village-Mow Dhaneshpsur (South) Ward No.1 and 2, Vidyapati Nagar, District-Samastipur for which the Respondents have also passed an order dated 19.1.2018 (Annexure-5) but without caring its implementation ignoring the everyday hardship of common citizens of the area and be further pleased to grant such other relief or reliefs or for which petitioner is found entitled in the eyes of law.”

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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