

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10008 of 2018

1. Dev Narayan Singh son of late Balram Singh
2. Chandra Shekhar Diwakar son of Rajendra Prasad Diwakar
3. Alok Raj son of Janardan Prasad Yadav
4. Bhola Prasad son of late Khub Lal Shah
5. Srimohan Prasad son of late Ram Bilas Prasad All are the resident of village - Vikramshila Nagar, Ward No. 6, P.S. - Kahalgaon, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The Deputy Collector, Land Reforms, Kahalgaon, Distt - Bhagalpur.
5. The Sub Divisional Officer, Kahalgaon, District - Bhagalpur.
6. The Circle Officer, Kahalgaon, District - Bhagalpur.
7. The Principal, S.S.V. College, Kahalgaon, District - Bhagalpur.
8. The Vice Chancellor, Tilkamanjhi University, Bhagalpur.
9. The Nagar Panchayat, Kahalgaon, Distt. - Bhagalpur.
10. The Executive Officer, Nagar Panchayat Kahalgaon, Distt - Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 20-02-2020 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:

“For issuance of an appropriate writ/writs,
order or orders in the nature of mandamus for directing



and commanding the respondents particularly the respondent No. 3 to 6 to remove the encroachment over the land bearing Mauja 1083, ward no 7, Khata No. 425, Khesra No. 382, Anchal Kahalgaon Nagarpanchayat measuring an area 0.0210 hectre nature of land Rasta forthwith and further for a direction to respondent No. 3 to 6 to provide all possible measure to easy access the student who used to go S.S.V. College for their study which is the main path of the college since its inception and also local people used the land as rasta since last 100 years and in khatian also the above land in question has been mentioned as Rasta but some antisocial element construct a wall and forbidden the people to use the above land as rasta which has been done due to the inaction on the part of the respondent authorities of salary has not been paid to the petitioner.”

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 respondents 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 four 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)

(S. Kumar, J)

B.Kr./uma/-

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