

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25708 of 2019

Prabhat Kumar alias Raja Choudhary, son of Late Naresh Prasad, resident of Mohalla- Shivpuri, P.s.- Shastri Nagar, District- Patna, permanent resident of Village and P.O. - Mahammadpur, P.S.- Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna.
2. The Principal Secretary Department of Revenue Govt. of Bihar, Patna.
3. The Secretary Urban Development Department Govt. of Bihar, Patna.
4. The Commissioner Patna Division Patna.
5. The Collector-cum-District Magistrate, Patna.
6. The Senior Superintendent of Police, Patna.
7. The Circle officer, Patna Sadar, Patna.
8. The Town Commissioner, Patna Municipal Corporation, Patna.
9. The Chairman R.E.R.A. Bihar, Patna.
10. The Director, Tribhuan Developers and Construction Private Ltd. Registered office at Road No. 1, Rajendra Nagar, P.S.- Rajendra Nagar, District- Patna through Shiv Kumar Sinha son of Late Chintaharan Prasad, resident of Road No. 1, Rajendra Nagar, P.S.- Rajendra Nagar, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Kamal Kishore Singh
For the Respondent/s	:	Mr.Subhash Prasad Singh (GA3)
For the Corporation	:	Mr. Prasoon Sinha, 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 20.12.2019 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:



“This public interest litigation is being filed for writ of Mandamus and any other appropriate writ/order/direction to the respondents to hold an enquiry with regard to illegal encroachment by Tribhun Developers and Construction Pvt. Ltd. over and above an area of 14 decimals of land of the North West corner of cadastral survey plot no. 526, Revenue Thana No. 7, Revenue Thana-Phulwari, Mauza- Dhakkanpur recorded in cadastral survey Khatiyani as Gair Mazarua AAM Nature-River situated as BSEB Colony, New Punaichak for the construction of multi-storied Apartment and till the measurement and demarcation of land any construction be stayed.”

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)

sujit/-

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