

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1470 of 2020

1. Shiv Shankar Prasad Singh Son of late Shiv Balak Singh,
2. Bipin Prasad Singh, Son of late Arjun Singh,
3. Subodh Kumar, Son of Sri Shtrughan Singh,
4. Dhruv Narayan Singh, Son of late Sitaram Singh,
5. Shailendra Singh, Son of late Suresh Singh,
6. Lal Narayan Singh, Son of late Ram Prasad Singh,
7. Virendra Singh, Son of late Jagdeo Singh,
8. Rajiv Kumar Singh, Son of late Radhe Singh,
9. Bhopal Singh, Son of late Naresh Singh,
All Resident of Village Khetalpura, P.S. Asthawa (Sare), District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Chief Secretary, Govt. of Bihar, Patna.
2. The Collector, Nalanda.
3. The Circle Officer, Asthawa, District- Nalanda.
4. Sri Manoj Kumar@ Munna Singh,
5. Sri Chunna Kumar,
6. Sri Pinku Kumar
7. Sri Choti Kumar,
8. Sri Chandan Kumar,
All Sons of late Bhuvaneshwar Singh, Resident of Village- Khetalpura,
Police Station- Asthawa(Sare), District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Md.Imteyaz Ahmad, Advocate Mr. Ajay Kumar Thakur, Advocate Mr. Arya Achint, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha, S.C.-19 Mr. B.P. Singh, A.C. to S.C. 19

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-01-2020 The petition filed on 21.01.2020 is listed for hearing



for the first time today before the Court.

Heard learned counsel for the petitioners and learned counsel for the respondents.

Petitioners have prayed for the following relief:

“(i). For issuance of appropriate writ/direction in the nature of mandamus or writs, order or orders for directing the respondents to get the encroachment removed, which has been made by the private Respondent No.-4 to 8 over the Public Road and Sewage/Nala existing over the ‘Gairmajarua land’ of Village- Khetalpura, P.S.- Asthawa (Sare), District- Nalanda, Situated over Thana No. 239, Khesra No. 1508 by constructing a wall over it thus causing water logging.

(ii) For further indulgence of this Court to look into the matter and for direction to the concerned respondents to produce all connected records for perusal of the same for passing an appropriate order.”

After the matter was heard for some time, learned counsel for the petitioners submits that petitioners shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioners 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 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)

P.K.P./-Sushma

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