

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1226 of 2021

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SANJAY KUMAR Son of Late Ramnath Prasad resident of mohalla- Indira
Nagar, P.S.- Patliputra, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Rohtas
3. The Circle Officer, Nasriganj, Rohtas
4. Officer in Charge, Nasriganj P.S., Dist.- Rohtas
5. The Executive Officer, Nagar Panchayat, Nasriganj, Rohtas

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms.Kumari Anupam, Advocate Mr. Bibhuti Narayan, Advocate
For the Respondent/s	:	Mr. Khurshid Alam, A.A.G. 12 Mrs. Nutan Sahay, AC to AAG 12 Mr. Ashok Kumar, Advocate

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

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 28-06-2021 Petitioner has prayed for the following

relief(s):-

“For giving a direction to remove the
encroachment of Public Road existing in the
Main Town, and Bazar and commercial area of
Nasrigan Town, which has been encroached by
the street vendors, on the protection given by
local administration due to malafide reasons, due



to which it is very difficult of public at large to even cross the main town and Bazar of Nasriganj in the day time.”

Counter affidavit has been filed by Respondent No. 5. Paragraph No.5 of the same reads as under:

“5. That it is also relevant to mention here that there are to types of encroachment in Main Bazar of Nasriganj, first is of those who during day time carry business of selling vegetable, grocery and parked Thela, rickshaw and do their business of daily use, which are not permanent in nature and for taking action against them permanent police force has been deployed, who do their work regularly and the type of encroachment are those who have made construction on Public land, and for taking action for removal of encroachment against them, the deponent have issued specific notices to the Circle Officer, to take action in accordance with law, and thereafter its upon the District Administration and the Circle Officer concerned to take suitable action for removal of encroachment.”

Learned counsel states that encroachment shall be removed positively within two months from today.

Statement is accepted and taken on record.



Petition is disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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