

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5521 of 2015

1. Ram Bhajan Singh Yadav Son of Late Ram Anuj Rai, Resident of Mohalla- Awasthi Ghat, P.S- Danapur District-Patna.
2. Rajesh Sharma Son of Late Bishwanath Sharma, Resident of Mohalla- Ram Jaipal Nagar, Gola Road, Bailey Road, P.S- Rupaspur, Danapur, District- Patna.
3. Akhilesh Singh Son of Rama Shankar Singh, resident of Mohalla- Barun Colony, Gola Road, P.S- Rupaspur Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Urban Development Department, Government of Bihar, Patna.
3. The Principal Secretary, Road Construction Department Government of Bihar, Patna.
4. The District Magistrate, Patna.
5. The Sub-Divisional Officer, Danapur.
6. The Patna Nagar Nigan, Patna through it's Chief Executive Officer, Bihar, Patna.
7. The Nagar Parishad, Danapur Nizamat Through it's Executive Officer, Danapur, Patna.
8. The Bihar Power Holding Corporation Ltd. Bihar Patna, Through it's Managing Director Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Prasad, Advocate Mr. Sushil Kumar Rajak, Advocate Mr. Satish Chandra, Advocate Mr. Manindra Nath Tiwari, Advocate Mr. Ram Chandra Sahai, Advocate Mr. Sanjeev Kumar Mishra (Amicus Curiae)
For the Respondent/s	:	Mr. S.K. Sharma, G.A. 1 Ms. Kiran Kumari, Advocate Mr. Hargovind Singh, Advocate Mr. Ajatshatru, Advocate Mr. Sunil Kumar, Advocate Mr. Rajeshwar Singh, G.A. 10 Mr. Vinay Kirti Singh, Advocate Mr. Niraj Kumar, Advocate

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

(Per: HONOURABLE MR. JUSTICE S. KUMAR)
(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 28-07-2021

It appears that order dated 12.7.2021 has been inadvertently recorded in this case, accordingly same is withdrawn.

Heard learned counsel for the parties.

Petitioners have prayed for following reliefs:-

“(i) To issue rule in the nature of mandamus commanding the respondents to measure 90’ (Ninty feet) wide Gola Road and fixed pillars at both end of the said road which starts from Bailey Road and goes to Gola par Danapur, and also it’s connecting road, and remove encroachment, found in between approved 90’ (Ninety feet) wide road (Gola Road) and it’s connecting roads.

(ii) To command the respondent no.8 to remove electric pole within the area of 90 feet and install pillar at both end of 90’ wide Gola Road and not by the side of existing pitch road.

(iii) To command the authorities to construct cemented Golamber on turning point of Gola Road, at Bailey Road.

(iv) To command the respondents to provide other related benefit, for which the public at large of the locality of Gola road are legally entitled.”

Pursuant to our previous order, the District Magistrate, Patna is connected through virtual mode and assures that encroachment made on public land shall be removed and Gola Road shall be demarcated by putting white marking after making measurement as per Map and any encroachment made on the road or on the flank of the road will be removed within 7

days.

In view of assurance given by the District Magistrate, Patna, the present petition is disposed of with liberty to petitioners to approach this Court for same and subsequent cause of action, if so arises.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA