

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19935 of 2018

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Aghor Prakash Shishu Sadan son of Late Gopal Chandra Mandal, Resident of Flat No. 18 Vishal Apartment Road No. 4, Patna 800014, P.O. Bankipur, P.S. Kadam Kuan, District Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Deputy Superintendent of Police Town, Patna.
6. The Officer in Charge, Pirbohair Police Station, Patna.
7. The Sub Divisional Officer Sadar, Patna.
8. Raj Kumar Malakar, (Name of the father not known to the petitioner), currently residing the premises of the petitioner school, B.C. Rai Path, Kajanchi Road, Police Station- Pirbohair, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeet Kumar
For the State	:	Mr.Sheo Shankar Prasad- Sc8
For the Respondents	:	Mr. Rajeev Kumar Singh, Adv. Mr. Gyanendra Kumar Siwakar, Adv. Mr. Prabhojot Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-09-2022 The present writ petition has been filed seeking the following relief:-

“1. That the present writ petition is being filed for a direction upon the concerned respondents to remove the private respondent no. 8 from the premises of the petitioner’s school as he has illegally encroached the part of the school premises and the private



respondent no. 8 is gradually expanding the encroachment by making construction on the land of the petitioner school.

The aforesaid encroachment has not been removed notwithstanding several directions issued in this regard by the Bihar State School Minorities Commission. The private respondent no. 8 being an employee of the District Administration is defying all the directions for removal of encroachment on the basis of his clout and position in the District Administration. In other words, the private respondent no. 8 in connivance with the District Administration has illegally encroached a part of the land belonging to the petitioner's school."

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the District Magistrate, Patna for redressal of his aforesaid grievances. Liberty, so sought, is granted.

It is needless to state that in case, appropriate petition is filed within a period of two



weeks from today, the District Magistrate, Patna shall pass a reasoned order, in accordance with law, within a period of twelve weeks, thereafter.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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