

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1767 of 2022

Arvind Kumar Son of Ram Autar Singh, Resident of Mohalla - Kharauna
Bagicha Near Sahara Office, Police Station - Sampatchak, District -Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. Bihar, Patna.
2. The Principal Secretary, Department of Housing and Urban Development, Govt. of Bihar, Patna.
3. The Patna Municipal Corporation, through its Chief Municipal Commissioner, Patna Municipal Corporation, Patna.
4. The Chief Municipal Commissioner, Patna Municipal Corporation, Patna.
5. The Executive Officer, Azimabad, Circle, Patna, Municipal Corporation, Patna.
6. The Executive Engineer, Azimabad, Circle, Patna, Municipal Corporation, Patna.
7. The Revenue Officer, Nagar Palika, Guljarbagh, Patna.
8. The Circle Officer, Patna Sadar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Adv.
For the Respondent/s	:	Mr.Kinkar Kumar (SC 9)
		Mr. Zaki Waider, AC to SC-9
For Municipal Corporation:		Mr. Prasoon Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-11-2022 At the outset, the learned counsel for the petitioner seeks permission to implead the Circle Officer, Patna Sadar, Patna as a party Respondent No. 8 to the present writ petition. Permission so sought is granted. Needful be done during the course of the day.

The present writ petition has been filed seeking the following relief:-

“i) That this is an application for issuance of a



writ of mandamus or any other appropriate writ(s), order(s), direction(s) for commanding and directing the respondent authorities to remove the encroachment made in the plot no. 217 in the Kharoniya Bagicha, Circle Azimabad, ward no. 56 within the jurisdiction of the Patna Municipal Corporation, appertaining to Thana no. 14, khata No. 385, part of the plot no. 216, Mauza Pahadi, police station, Agamkuan and further the petitioner prays for a direction to the respondent authorities to construct the road.”

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

Consequently, it is observed that in case the petitioner approaches the Circle Officer, Patna Sadar, Patna, by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of 4 weeks from today, the same shall be considered, in accordance with law and after hearing the affected parties, appropriate orders shall be passed thereon, forthwith.

It is needless to state that in case the Respondent No. 8 finds that encroachment has been made over the aforesaid



plot in question and the same is removed, needful steps shall be taken to construct the road, in accordance with law.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Tiwary/-

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