

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6454 of 2021

1. Dr. Lok Shakti Son of Hind Keshari Yadav Resident of Race Course Chakkar Maidan, Near Prabhat Tara School, Ward No.10, P.S.- Mohammadpur Kazi, District- Muzaffarpur.
2. Ravindra Nath Sharma Son of Bisho Singh Resident of Achuara, Barh, P.S.- Barh, District- Patna- 803213, at present resident of Gobarsahi Chowk, Railway Gumti No. 04, P.S.- Sadar Muzaffarpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Department of Home, New Delhi.
2. The Director General, Indian Arm Forces, New Delhi.
3. The Inspector General, Indian Arm Forces, Bihar Region, Bihar, Patna.
4. The Defence Estate Officer, Indian Army, Danapur Cantt., Bihar, Patna.
5. The Station Head, Indian Army, Danapur Cantt., Bihar, Patna.
6. The Station Head-cum-Colonel, 15 Jat Regiment, Indian Army, Muzaffarpur.
7. The State of Bihar through the Secretary, Department of Home, Bihar, Patna.
8. The Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
9. The Collector-cum-District Magistrate, East Muzaffarpur, Muzaffarpur.
10. The Sub Divisional Magistrate, East Muzaffarpur, Muzaffarpur.
11. The Circle Officer, Mushhari, Muzaffarpur East, District Muzaffarpur.
12. The S.H.O., Sadar Muzaffarpur, District Muzaffarpur.
13. The S.H.O., Kazi Mohammadpur, District- Muzaffarpur.
14. Anil Kumar Son of not known to the petitioner Authorized Contractor, Prabhat Tara School, Hanuman Mandir, P.S. Kazi Mohammadpur, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Fakhruddin Ali Ahmad, Adv. Mr. Fahad Ahmad, Adv.
For the UOI	:	Mr. Kumar Priya Ranjan, CGC Mr. Ankur Apurv Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-09-2022 The present writ petition has been filed
seeking the following reliefs:-

“1(a). To direct the respondent no. 2



to 6 not to encroach and fence the public road appertaining to Khata No. 635, Khesra No. 1346, area 34 decimals Thana-Sadar, District-Muzaffarpur.

(b) To direct the respondent no. 2 to 6 not to make any unauthorized and illegal construction upon the public road appertaining to Khata No.635, Khesra No. 1346, area 34 decimals, situated within Thana- Sadar Muzaffarpur, District- Muzaffarpur and further not to disturb the local residents from free use of the public road.

(c) To direct the respondent-State authorities to make sure that no hindrance be created in the use of public road by local residents and the public road be put to its original shape free from all encumbrances.

At the outset, the learned counsel appearing for the Respondent-Army Authorities has submitted that the best person, who can adjudicate upon the dispute in question, would be the District Magistrate, Muzaffarpur, hence, the case of the petitioner be relegated to the District



Magistrate, Muzaffarpur, to which the learned counsel for the petitioners has got no objection.

In such view of the matter, the present writ petition stands disposed off with liberty to the petitioners to file appropriate representation before the District Magistrate, Muzaffarpur, with regard to their aforesaid grievances and in case, such a representation is filed within a period of four weeks from today, the same shall be considered by the District Magistrate, Muzaffarpur and appropriate orders shall be passed thereon, after hearing the Respondent-Army Authorities, within a period of twelve weeks, thereafter.

The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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