

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13263 of 2021

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Brajesh Prasad Singh S/o Late B.P. Singhy, Resident of House No. 490, Pokhara, Mohalla-Bir Kunwar Singh Colony, North Hajipur, P.S.-Hajipur Town, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Vaishali at Hajipur.
2. Sub-Divisional Officer, Hajipur, District-Vaishali.
3. The Executive Officer, Nagar Nagar Parishad, Hajipur, District-Vaishali.
4. Ranju Devi, W/o Narendra Singh, Resident of Pokhara, Mohalla Bir Kunwar Singh Colony, North Hajipur, P.S.-Hajipur, Town, District-Vaishali.
5. Harinandan Singh, S/o Keshav Narayan Singh, Resident of Pokhara Mohalla, P.S.-Hajipur Town, District-Vaishali.
6. Circle Officer, Hajipur Town, District-Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Anil Kumar,Advocate
For the Respondent/s	:	Mr.Rajeev Kumar Sinha,AC to AAG-7
For the Nagar Parishad	:	Mr.Ankit Katriar,Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-11-2022 At the outset, the learned counsel for the petitioner seeks permission to implead the Circle Officer, Hajipur, District-Vaishali as party respondent no. 6 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 reliefs:-

(i) A writ in the nature of Mandamus or appropriate writ/ order/ directions commanding the respondents to remove the illegal encroachment in time bound manner on the Public road situated near the house of the petitioner situated at the Khata no. 86, Khesra No. 786. The road is 8'' (8 feet) wide and it is North-East and its length is East-West and the extended roof over the road by respondent no. 4 and 5.



(ii) To issue appropriate writ, order or direction to the respondents not to allow the encroachment unauthorized on the said road/ street in future.

(iii) To issue direction to the Respondent for taking appropriate action against the erring contractor who has constructed a Nala which on the rest 4' (four feet) non-encroached land by raising its height more than the height of the Plinth of the House of the petitioner which has blocked the exit of the petitioner from his house."

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Executive Officer, Nagar Parishad, Hajipur, District- Vaishali as also the Respondent No. 6 for redressal of his aforesaid grievances.

It is needless to state that in case appropriate representation is filed within a period of four weeks from today, needful action shall be taken in accordance with law and after hearing the affected parties, by the aforesaid officials, within a period of eight weeks thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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