

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10601 of 2022

1. Amrendra Kumar Son of Late Ram Krishna Mehta Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
2. Dhananjay Kumar Son of Suresh Nandan Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
3. Awadhesh Prasad Son of Late Braj Nandan Prasad Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
4. Priya Anand Son of Umesh Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
5. Santosh Kumar Son of Late Randhir Kumar Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
6. Sunil Kumar Son of Jagdish Prasad Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
7. Mukesh Kumar Kamesh Son of Kamendra Kumar Kamesh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
8. Rameshwar Singh Son of Late Ram Pyare Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
9. Shiv Lal Prasad Son of Sadashiv Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
10. Ramesh Kumar Son of Late Sahdeo Prasad Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
11. Shyam Tiwary Son of Late Mahavir Tiwary Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
12. Sri Kant Kumar Son of Late Indradeo Prasad Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
13. Ajay Kumar Son of Late Jagdish Mahto Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
14. Rajeev Kuma Son of Sri Shyam Nandan Prasad Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
15. Vashlal Prasad Son of Late Ramsharan Mahto Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
16. Akhilesh Prasad Son of Late Dayanand Prasad Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.



17. Chandra Bhushan Singh Son of Late Manilal Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
18. Lakshaman Prasad Son of Late Ram Lakhan Prasad Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
19. Suman Kumar Son of Sri Ramavatar Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
20. N.K. Nachiketa Son of Late Sri Avinash Prasad Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
21. Kumar Dharmendra Son of Sri Krishna Kumar Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
22. Suresh Kumar Singh Son of Sri J.N. Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
23. Niraj Kumar Verma Son of Late Krish Nandan Prasad Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
24. Randeerv Chandra Son of Sri Ramesh Chandan Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
25. Arun Kumar Son of Late Ram Ayodhya Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
26. Sharwan Kumar Son of Sri Devendra Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
27. Ravi Prakash Son of Sri Harindra Kishor Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
28. Krishna Singh Son of Sri Uma Shankar Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
29. Ram Niranjana Kumar Son of Awadesh Prasad Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.
30. Ram Lagan Prasad Son of Late G.B. Prasad Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 30, P.S.- Ram Krishna Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through Secretary, Department of Urban Development, Government of Bihar, Patna.



2. Secretary, Department of Urban Development, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Circle Officer, Phulwari Sharif, Patna.
5. The Municipal Commissioner, Patna Municipal Corporation, Patna.
6. Sunil Kumar Son of Late Nawal Rai Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 13, P.S.- Ram Krishna Nagar, District- Patna.
7. Ravi Kumar Son of Late Om Prakash Singh Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 13, P.S.- Ram Krishna Nagar, District- Patna.
8. Amrendra Kumar Son of Late Rajendra Prasad Resident of Ram Krishna Nagar West, Mother Teresa Marg, Ward No. 13, P.S.- Ram Krishna Nagar, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Lalan Kumar, Advocate
For the Respondent/s	:	Mr.Yogendra Prasad Sinha, AAG-7 Mr.Rajeev Kumar Sinha, AC to AAG-7

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-11-2022 The present writ petition has been filed seeking the following reliefs:-

“1.(A) In the nature of “Mandamus” directing and commanding the respondent authorities particularly Circle Officer, Phulwari Sharif, Patna to get the encroachment removed from Plot No. 217 and 218 encroached by Sunil Kumar, respondent no. 5 which is a Gairmajarua Aam Land existing at Ram Krishna Nagar, Main Road turning point near North side of Plot No. 296.

(B) In the nature of “Mandamus” also to remove encroachment from the Road by the owner of Plot No. 230 namely Amrendra Kumar, son of Late Rajendra Prasad who has encroached 7 ft. land upon the road blocking the drainage system.



(C) In the nature of “Mandamus” also to remove the boundary wall of Jamuna Apartment which is situated in Plot No. 229 reducing the width of the Road.”

At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the Circle Officer, Phulwari Sharif, District-Patna, for redressal of their aforesaid grievances.

Liberty so sought is granted.

It is needless to state that in case the petitioners approach the Circle Officer, Phulwari Sharif, District-Patna, by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of four 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.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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