

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19829 of 2021**

Surendra Kumar S/o Sri Bhagwan Mahto, resident of Mohalla - Kurji, Gate No. - 64, P.O.- Sadaquat Ashram, P.S.- Digha, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Patna, Bihar.
2. The Deputy Secretary, Lokayukta, Lokayukta Office, 4- Kautilya Marg, Patna - 800001.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Sub-Divisional Officer, Patna Sadar, Patna.
6. The Station Head Officer, Digha Police Station, Digha, Patna - 800010.
7. The Circle Officer Patna Sadar, Patna.
8. Bedamo Devi, W/o Lal Babu Rai, Resident of Mohalla - Kurji, Gate No. - 64, P.O.- Sadaquat Ashram, P.S.- Digha, District - Patna - 800010.
9. Anil Rai, S/o Lal Babu Rai, Resident of Mohalla - Kurji, Gate No. - 64, P.O.- Sadaquat Ashram, P.S.- Digha, District - Patna - 800010.
10. Beby Devi, D/o Anil Rai, Resident of Mohalla - Kurji, Gate No. - 64, P.O.- Sadaquat Ashram, P.S.- Digha, District - Patna - 800010.
11. Pappu Rai, S/o Late Mahendra Rai, Resident of Mohalla - Kurji, Gate No. - 64, P.O.- Sadaquat Ashram, P.S.- Digha, District - Patna - 800010.
12. Ravi Kumar, S/o Anil Rai, Resident of Mohalla - Kurji, Gate No. - 64, P.O.- Sadaquat Ashram, P.S.- Digha, District - Patna - 800010.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Maheshwar Prasad, Advocate  
For the Respondent/s : Mr.Manish Kumar (GP 4)

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

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

*“(i) For issuance of a writ of mandamus and/ or any other appropriate writ/ direction commanding the respondents no. 3 to 7 to take stern action against the respondents no.*



*8 to 12 who encroached the public road of Mohalla-Kurji Gate no. 67, Sadaquat Ashram, PS- Digha, Dist-Patna-10, public road wide '6' toward east to west in ward no. 22C, revenue Circle 247B in Circle Patliputra which is the only way to connect the mohalla and to direct the removal of encroachment of the instant road, which was used since 40 years by the public which approached to resident of Bind Tola population about ten which comes under the SC/ ST communities.*

*(ii) For issuance of a writ of mandamus directing and commanding official administrative respondent to give protection to the petitioner and his family from the private respondents no. 8 to 12 who are the dominant persons of the area, influencing persons, who chase and put inferable the petitioner and his family by various means i.e. break the supply water pipe, break the latrine tank, by murderous attempt also."*

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.

It is needless to state 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 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)**

rinkee/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

