

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5801 of 2018

1. Vijay Kumar Singh and Anr son of late Baliram Singh
2. Abhimanyu Singh son of late Musafir Singh Both are residence of Muhalla Vijay Rai Ke Tola, Ward No. 6 Nagar Panchayat Revelganj, Police Station P.O. - Revelganj, District - Chapra Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Principal Secretary, Urban Development Department, Government of Bihar, Patna.
4. The District Magistrate, District Saran at Chapra.
5. The Executive Engineer, R.W.D. Works Division, Chapra - 1.
6. The Sub-Divisional Officer, Sadar Chapra, District - Chapra.
7. The Circle Officer, Circle Officer, Revelganj, District - Chapra.
8. The Executive Officer, Nagar Panchayat Revelganj, Circle Office Revelganj, District - Chapra.
9. Rambabu Singh son of late Rambriksh Singh
10. Ajay Kumar Singh son of late Jaiprakash Singh
11. Gautam Singh son of late Bhagwan Singh
12. Rajnath Singh son of late Lakhi Narayan Singh
13. Nagendra Singh son of late Ram Kirpal Singh
14. Ajab Narayan Singh son of late Jagdish Singh
15. Lalbabu Singh son of late Nageshwar Singh
16. Harendra Mohan Singh son of late Jagat Pati Singh
17. Umesh Chandra Singh son of late Jai Singh
18. Birendra Singh son of late Khedaru Singh
19. Bijendra Singh son of late Kailash Pati Singh
20. Awdhesh Singh son of late Hiranman Singh
21. Romi Kumar Singh @ Guru Singh son of late Chandra Bhushan Singh
22. Ajit Singh son of late Nath Narayan Singh
23. Sunil Kumar Singh son of late Sidh Nath Singh
24. Chandradeo Singh son of late Raja Singh
25. Matindra Singh son of late Kapildeo Singh
26. Rajiv Rajan Singh son of late Ramdayal Singh
27. Uday Singh son of late Subhnarayan Singh
28. Baidyanath Singh son of late Vishnudeo Singh
29. Ashok Singh son of late Sabhapati Singh
30. Shiv Manu Singh son of late Musafir Singh Respondents no. 9 to 30 are residence of Muhalla Vijay Rai Ke Tola, Ward No. 6, Revelganj Nagar Panchayat, P.S. Revelganj, District - Saran Chapra.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate
For the State : Mr.P.K. Verma, AAG-3
Dr. Makeswari Tiwari, AC to AAG-3
For the Respondent No. 8: Dr. Alok Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 26-07-2022 The writ petition has been filed seeking the following
reliefs:-

“i. For issuance of a writ in the nature of Mandamus directing and commanding the respondent to remove the encroachment from Nagar Panchayat road bearing Khata No. 637, Plot No. 1743, 1738 including the Plot No. 1835, Khata No. 515, Plo No. 903 of the land of Nagar Panchayat, Revilganj from Augharbaba Ke Mathiya to the brick klin of Dayali Singh from the house of Ganga Singh to the house of AjabnarayanSingh which come under the road from NH-19 to Kurai Chapara for which the construction works schedule and agreement for construction of the road with the contractor Narsingh Singh has been made by the department under Mukhya Mantri Gramin Sarak Yojana (World Bank) bearing agreement no. 24WB/2016-17 commenced on 08.06.2017 fixing completion date 07.06.2018 while the private respondents are not ready to remove the encroachment and in spite of several application filed before Authority concerned the respondent Authorities setting tight over the matter and not removing the encroachment, therefore, the construction work is not



likely to be complete with the prescribed period.

ii. For issuance of a writ in the nature of Mandamus directing and commanding the respondents authorities to remove the encroachment after proper measurement from the road and land of the Nagar Panchayat Revilganj, District-Saran (Chapra).”

The Circle Officer, Revilganj, District-Saran, Chapra
i.e. the respondent no. 7 has filed a counter affidavit in which it has been stated that an Encroachment Case No. 5 of 2019-20 was initiated and after notice to the encroachers, encroachment has been removed on 09.09.2020.

The learned counsel for the petitioner submits that in view of the aforesaid statement made by the respondent no. 7, the present writ petition may be disposed off, however, liberty be granted to the petitioner to approach the respondent no. 7 in case the encroachment has resurfaced.

Liberty so sought is granted.

The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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