

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5869 of 2017

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1. Baliram Mahto Son of Sukhdeo Mahto.
 2. Deepak Sah, Son of Late Bira Sah.
 3. Anjarul Hassan, Son of Tajammul Hussain. All residents of Village and Post-Gad Bahuari, P.S.- Palanwa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Land and Revenue, Government of Bihar, Patna.
3. The District Magistrate East Champaran at Motihari District- East Champaran.
4. The Sub-Divisional Officer, Raxaul, District- East Champaran.
5. The Sub-Divisional Police Officer, Raxaul, District- East Champaran.
6. The Circle Officer, Raxaul District East Champaran.
7. The Station House Officer SHO, Palanwa Police Station District- East Champaran.
8. Sheikh Salar, son of Late Ali Hasan, resident of Village and Post- Gad Bahuari, P.S. Palanwa, District- East Champaran.

.. ... Respondent/s

Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar
For the Respondent/s : Mr.Md.Khurshid Alam-Aag12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-04-2023 The present writ petition has been filed seeking the following reliefs:-

“1(A). For issuance of an appropriate writ order or direction commanding the respondent authorities to remove the encroachment from the public road (Aam Raasta) situated at village & P.O.- Gad Bahuwari P.S.- Palanwa Block-Raxaul District- East Champara bearing Khata No-200, Khesra No-1078, Than No-49, which has been encroached by respondent No-8



namely Sheikh Salar.

[B] For issuance of an appropriate writ order or direction commanding the respondent authorities to ensure smooth functioning of public road situated over Khata No. 200, Khesra No. 1078, Than No. 49, after removing encroachment aforesaid public road.”

Though the learned counsel appearing for the Respondents has submitted, by referring to the counter affidavit filed in the present case that the encroachment in question has stood removed, however, it is the assertion of the learned counsel for the petitioner that the encroachment has again resurfaced, hence, he submits that the District Magistrate, East Champaran at Motihari, the Superintendent of Police, East Champaran at Motihari, the Circle Officer, Raxaul and the Station House Officer, Palanwa Police Station, East Champaran at Motihari, be directed to take appropriate steps to ensure that the encroachment, which has resurfaced, is removed forthwith and the same does not resurface in future as well. It is directed accordingly.

The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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