

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4917 of 2017

Mahesh Thakur Son of Late Gena Thakur, resident of village P.O. Barhi, P.S. Keoti, District - Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Rural Works Development, Government of Bihar, Patna
2. The Commissioner, Darbhanga Division, Darbhanga
3. The District Magistrate, Darbhanga
4. The Sub - Divisional officer, Sadar, Darbhanga
5. The Deputy Collector, Land Reforms, Sadar, Darbhanga
6. The Circle officer, Kewati, District Darbhanga
7. The State Power Holding Company Ltd. through its Chairman, Vidyut Bhawan, Bailey Road, Patna
8. North Bihar Power Distribution Company Ltd. through its Managing Director, Vidyut Bhawan, Bailey Road, Patna
9. The Chief Managing Director, North Bihar Power Distribution Ltd., Vidyut Bhawan, Bailey Road, Patna
10. The Managing Director, North Bihar Power Distribution Ltd. Vtyut Bhawan, Bailey Road, Patna
11. The Electric Superintending Engineer, Laheria Sarai, District - Darbhanga
12. The Electrical Executive Engineer, Electric Supply Division, Laheria Sarai, District - Darbhanga
13. The Electrical Assistant Engineer, Electric Supply Sub - Division, Kewati, District - Darbhanga
14. The Electrical Junior Engineer, Electric Supply Sub - Division, Kewati, District - Darbhanga
15. Kamod Das, Son of Sita Ram Das,
16. Binod Das, Son of Sita Ram Das,
17. Manoj Das, Son of Sita Ram Das,
18. Gouri Shankar Thakur, Son of Late Mushhar Thakur,
19. Bharat Thakur, Son of Late Saryug Thakur,
20. Sogindar Thakur @ Sigindar Thakur, Son of Late Saryug Thakur,
21. Mosmat Shanti Devi, W/o Late Upendra Thakur,
22. Krishna Thakur, Son of Late Upendra Thakur,
23. Akhilesh Thakur, Son of Late Upendra Thakur,
24. Raja Thakur, Son of Late Jagdish Thakur, All are resident of village - Kheraj



Mardan Barhi West Tola, Ward No. 12, P.S. Kewati, P.O. Barhi, District -
Darbhanga

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Amrit Abhijat, Advocate
For the Respondent/s	:	Mr.Raj Kishore Roy-GP 18
For NBPDC	:	Mr. Vinay Kirti Singh, Sr. Advocate
	:	Mr. Vijay Kr. Verma, Advocate
	:	Mr. Akhileshwar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

“(i) To issue a writ in the nature of mandamus commanding/directing the Respondents 1" set to remove encroachment from road appertaining to Khesra No. 1629 (old), 2637, 2628 and 2625 (new), Khata No. 252 (old), 656 and 657 (new), Mauza-Khairaj Mardam Singh, Thana No. 371, Circle-Kewati runway, District-Darbhanga as Respondents 3rd jointly encroached the land of road.

(ii) To issue a writ in the nature of mandamus commanding and directing the Respondent No.5, the Deputy Collector, Land Reforms, Sadar, Darbhanga to correct the survey done by Settlement Officer with respect to land of petitioner appertaining to Khesra No. 1630 (old) 2638, 2639 and 2627 (part) (new). Khata No.444, Mauza-Khairaj Mardam



Singh, Thana No.371, Circle-Kewati runway. District- Darbhanga as out of raiyati land of petitioner a new plot vide Plot No. 2638 has been carved out and it has been shown as road with other land of Government.

(iii) To issue a writ in the nature of mandamus commanding and directing the Respondent 2nd set and specially the Executive Engineer (electrical) Supply Division, Laherisasarai, Darbhanga to remove electric pole from between the road appertaining to Kheshra No. 1629 (old), 2637, 2628 and 2625 (new), Khata No. 252 (old), 656 and 657 (new), Mauza- Khairaj Mardam Singh, Thana No.371, Circle-Kewati runway, District-Darbhangha and to plant it on the edge of road.”

At the outset, the learned counsel for the respondent- State has referred to the counter affidavit filed in the present case, more particularly paragraph no. 16 thereof, wherein it has been stated that the encroachment has already been removed by the Circle Officer, Keoti on 08.11.2019 and the road is free for movement.

The learned counsel for the petitioner submits that in case, the encroachment has re-surfaced, the petitioner be granted liberty to approach the Circle Officer, Keoti. Liberty so



sought, is granted.

The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

rinkee/-

U			
---	--	--	--

