

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3209 of 2023

Naushad Alam S/o Adalat Husain, R/o Mohalla - New Azimabad Colony, P.S.
- Bahadurpur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Patna.
2. The District Magistrate, Patna.
3. Patna Municipal Corporation through Municipal Commissioner, Patna.
4. The Municipal Commissioner, Patna Municipal Corporation, Patna.
5. The Director, Town Planning, Patna Municipal Corporation, Patna.
6. The Executive Officer, Bankipur Circle, Patna Municipal Corporation, Patna.
7. The Circle Officer, Patna Sadar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Singh, Sr. Advocate Mr. Ajay Kumar Singh, Advocate
For the State	:	Mr. Abbas Haider SC-6 Mr. Ravish Chandra, AC to SC-6
For PMC	:	Mr. S.P. Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-04-2023 The present writ petition has been filed
seeking the following reliefs:-

*"(i) For the issuance of writ
in the nature of mandamus
directing the respondent authorities
to remove encroachment over the
public land made by the
unauthorized persons / encroachers
appertaining to Mauja -Moharampur,
Thana no. 137, Mohalla- Bakerganj,*



Municipal Khesra no. 867, whereby 13 to 14 persons have made encroachment over the public land by constructing their shops causing much inconvenience to general public at large in smooth movement of the traffic, on highly commercial and busy road, namely "Bari Path" passing through Hathwa Road.

ii) For further direction upon the respondent authorities particularly respondent Circle Officer, Patna Sadar and the executive Officer, Bankipur Circle, P.M.C, Patna to cooperate/coordinate in themselves and instead of extending/ passing on responsibility on each other for removing encroachment, both of them be directed to work together and remove the encroachment to facilitate easy movement of traffic on the busy road, which is popularly known as Bari Path and passes through Hathwa Market to Birla Mandir.

iii) For issuance of further direction upon the respondent Circle Officer, Patna Sadar to initiate



proceeding under Public Land Encroachment Act and remove the encroachments indicated by the revenue Karmchari vide his report dated 12.12.2022 and after following due process further direction be issued to remove encroachment within period as prescribed under Public Land Encroachment Act"

At the outset, the learned senior counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Municipal Commissioner, Patna Municipal Corporation, Patna and the Circle Officer, Patna Sadar for redressal of his aforesaid grievances.

Liberty so sought is granted.

It is needless to say that in case appropriate representation is filed, within a period of four weeks from today, the same shall be considered, in accordance with law, and a reasoned and a speaking order shall be passed thereon, within a period of eight weeks thereafter, after hearing the effected parties.



The writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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