

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3290 of 2023

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1. Gaurav Chaudhary Son of Late Narendr Narayan Chaudhary, Resident of Mohalla- Sarvodaya Nagar, Ward No. 22, Police Station- K. Hat, District- Purnea.
 2. Saurabh Choudhary Son of Late Narendra Narayan Choudhary, Resident of Mohalla- Sarvodaya Nagar, Ward No. 22, Police Station- K. Hat, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development Department, Govt. of Bihar, Patna.
2. The Purnea Municipal Corporation, Purnea Through Municipal Commissioner, Purnea Municipal Corporation, Purnea.
3. The Municipal Commissioner, Purnea Municipal Corporation, Purnea.
4. The Revenue Karamchari, Purnea Municipal Corporation, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Abhishek, Adv.
For the Respondent/s : Mr.Subhash Pd. Singh (GA-3)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-10-2023 1. The present writ petition has been filed seeking the following relief(s):-

“I.I. For directing the Respondent Authorities to take proper steps on the application dated 14.12.2022 filed by the petitioners before the Respondent No.3 for re-measurement of the land of the petitioner in their presence in order to solve the issue of Encroachment said to have been made by the petitioner's over the Municipal Sewerage.

II. For directing the Respondent authorities not to take any adverse steps over the house of the petitioner or its boundary wall till the re-measurement of construction or land and further opportunity of hearing be provided to the petitioner



over the issue of Encroachment as stated in the notices issued by the Respondents to the petitioners.

III. For directing to Respondent authorities to proceed in accordance with law in Encroachment Case No.95/2022-23 and after giving reasonable opportunity of hearing to the petitioner a final order be passed.”

2. At the outset, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to avail such other alternative remedies as are otherwise available under the law, including that of filing a civil suit, before the Civil Court having competent jurisdiction, for redressal of their aforesaid grievances. Liberty so sought is granted.

3. It is directed that for a period of four weeks from today, status quo existing as on today qua the land/house of the petitioners in question, shall be maintained in order to enable the petitioners to avail appropriate remedies as are available under the law and seek interim relief.

4. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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