

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9741 of 2016

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1. Rubi Kumari wife of Shri Vishwajeet Kumar Sharma
 2. Vibha Kumari wife of Shri Rabish Kumar Both residents of village Marsua, Post Office, Police Station, Anchal- Wen, District- Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Commissioner, Patna Division, Patna.
3. The Collector, Nalanda
4. The Superintendent of Police, Nalanda.
5. The Deputy Collector Land Reforms, Rajgir, Nalanda.
6. The Circle Officer, Wen, Nalanda
7. Pawan Singh son of late Ram Lakhan Singh
8. Chunchun Singh son of Shri Pawan Singh Both residents of village Marsua, Post Office, Police Station, Anchal- Wen, District- Nalanda. Respondent No. 7 is at present working as Assistant Teacher, Primary School, Naudhariya, P.O. Usani, P.S. Manapur, District Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Santosh Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sarvesh Kr. Singh, AAG 13
	:	Mrs. Sunita Kumar, AC to AAG 13

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

“(i) For issuance of an appropriate writ order or direction directing and commanding the official respondents not to club the hands with law breakers private party respondents rather awake, establish the faith and belief of the citizen over the rule of law by forthwith discharging their power and duties vested under them by instant demolishing encroachment over



the 11 feet width Aam Rasta running from east to west connecting the main Rasta situated in between Plot No. 964 and 978 in village Marsua Police Station Wen District Nalanda which has already been declared to be Aam Rasta with direction to the private party respondents to remove the encroachment thereon vide order dated 5.10.2012 by learned D.C.L.R., Rajgir, Nalanda passed in Land Dispute Resolution Case No. 71 of 2011- 12.”

At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the Circle Officer, Wen, Nalanda for redressal of their aforesaid grievance. Liberty so sought, is granted.

It is needless to state that in case, the petitioners approach the Circle Officer, Wen, Nalanda by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks from today, the same shall be considered, in accordance with law and after hearing the affected parties, appropriate orders shall be passed thereon, forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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