

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5433 of 2023

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1. Surendra Nath Mishra Son of Late Vishwanath Mishra Resident of Katra, Mednimal, Hajipur, P.S.- Hajipur, District- Vaishali- 844101.
 2. Prem Nath Pandit, Son of Mangal Pandit Resident of Katra, Mednimal, Hajipur, P.S.- Hajipur, District- Vaishali- 844101.
 3. Ravi Prakash, Son of Jai Lal Prasad Resident of Katra, Mednimal, Hajipur, P.S.- Hajipur, District- Vaishali- 844101.
 4. Pravaal Katyayan, Udayan Mishra Resident of Katra, Mednimal, Hajipur, P.S.- Hajipur, District- Vaishali- 844101.
 5. Shambhu Patel, Son of Ram Bharosh Patel Resident of Katra, Mednimal, Hajipur, P.S.- Hajipur, District- Vaishali- 844101.
 6. Ahilya Sinha, Wife of Shashi Bhushan Prasad Resident of Katra, Mednimal, Hajipur, P.S.- Hajipur, District- Vaishali- 844101.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Vaishali at Hajipur.
2. The District Magistrate, Vaishali at Hajipur.
3. The Sub-Divisional Officer, Hajipur.
4. The Circle Officer, Hajipur.
5. The Municipal Corporation of Hajipur, through its Executive Officer, Hajipur.
6. The Executive Officer, Municipal Corporation of Hajipur, Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Anjani Kumar Jha, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-10-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of appropriate writ for removal of encroachment by the Municipal Corporation of Hajipur and other several encroachers, who is/was the employee of the



Municipal Corporation, of Road on the public land marked as the Aam Rasta in ward no. 6 bearing Khata no. 561, Plot no. 948, 1048 and 1189 in Survey Naksa of Year 1971-72.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Executive Officer, Hajipur Nagar Parishad, Hajipur, for removal of the Encroachment in question. Liberty so sought is granted.

3. At this juncture, the learned counsel appearing for the Hajipur Nagar Parishad, Hajipur, submits that in case the petitioner files appropriate petition, suitable action shall definitely be taken under Section 435 of the Bihar Municipal Act, 2007, within a fixed time frame.

4. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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