

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5682 of 2023

Manoj Kumar Singh Son of Sri Maheshwar Singh @ Maheshwar Prasad Singh Resident of Mohalla-Maulaganj (Rajput Colony), Post-Lalbagh, P.S. Laheriya Sarai, District-Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban development Department, Government of Bihar, Patna.
2. The District Magistrate, Darbhanga.
3. The Senior S.P., Darbhanga.
4. The S.D.O. Darbhanga Sadar, District-Darbhanga.
5. The Circle Officer, Sadar, Darbhanga.
6. The Municipal Commissioner, Darbhanga Nagar Nigam, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Madhubala Verma, Advocate
For the Respondent/s	:	Mr.Yogendra Pd. Sinha (AAG-7)
		Mr. Rajeev Kumar Sinha, AC to AAG-7
For the D.M.C.	:	Mr. Bindhyachal Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-07-2023 The present writ petition has been filed
seeking the following relief:-

“1.That by this writ application, the petitioner craves indulgence of this Hon'ble Court for issuance of appropriate writ / direction/ order to the respondents for removal of encroachment from the Public road and connected land pertaining to Municipal Khesra No. 23625, 23623, 23610, 20747,20772, Anchal Sadar, District-Darbhanga encroached by



the private respondents by making permanent construction over the public land of Road due to which the petitioner and other residents are facing severe difficulty in movement on the public road.”

The learned counsel for the petitioner submits that for the purposes of removal of encroachment in question, an encroachment proceeding vide Encroachment Case No. 26 of 2021-22 was initiated and the Circle Officer, Sadar Darbhanga has already passed the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, however, the encroachment in question has not yet been removed.

If that be the case, I deem it fit and proper to grant liberty to the petitioner to approach the District Magistrate, Darbhanga by filing appropriate petition with regard to his aforesaid grievances and in case the same is filed within a period of six weeks from today, the District Magistrate, Darbhanga shall take appropriate action, in accordance with law,



forthwith.

The writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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