

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6035 of 2023

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1. Md. Anwar son of Md. Alauddin, Resident of Mohalla-Makhdum Rasti Colony, Near Abdus Samad Enclave, P.O. and P.S.-Phulwarisharif, District-Patna, Pin Code-801505 (Bihar).
 2. Md. Shamim Akhtar, son of Late Md. Alauddin, Resident of Mohalla-Islamganj, P.O.-Hulasi Tola, P.S.-Maner, District-Patna.
 3. Aas Mohammad, Son of Peer Mohammad, Resident of Mohalla-Hafiz Cloth Store, Sabzi Bagh, P.S.-Pirbahore, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Patna, District-Patna.
3. The Sub-Divisional Officer, Patna Sadar, District-Patna.
4. The Block Development Officer, Phulwarisharif Block, District-Patna.
5. The Circle Officer, Phulwarisharif Block, District-Patna.
6. The Chairman, Nagar Parishad, Phulwarisharif, District-Patna.
7. The Executive Officer, Nagar Parishad, Phulwarisharif, District-Patna.
8. The Station House Officer, Phulwarisharif Police Station, District-Patna.
9. Md. Firoz Alam, Son of Wali Ram, Resident of Mohalla-M.R. Colony, Near Abdus Samad Enclave, P.O. and P.S.-Phulwarisharif, District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Najeeb Ahmad, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (GP-18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

*“1.(i) For issuance of a writ in the
nature of mandamus directing the
Executive Officer, Nagar Parishad,
Phulwarisharif to issue show cause*



to the respondent no. 9 to show cause why respondent no. 9 has constructed his G+5 building without obtaining permission from the office of Nagar Parishad,Phulwarisharif.

(ii) For issuance of a writ in the nature of mandamus directing the respondent no. 5 to initiate an encroachment proceeding against the respondent no. 9 who has constructed his building by encroaching the public way.

(iii) For issuance of a writ in the nature of mandamus directing the respondents to demolish the building of the respondent no. 9 who has constructed the building without any approved sanctioned plan by the Nagar Parishad, Phulwarisharif.”

At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to file appropriate petition before the Executive Officer, Nagar Parishad, Phulwarisharif, District-Patna for redressal of their aforesaid grievances.



Liberty so sought is granted.

It is needless to state that in case the petitioners approach the Executive Officer, Nagar Parishad, Phulwarisharif, District-Patna by filing appropriate representation, within a period of four weeks from today, the same shall be disposed off by a reasoned and a speaking order, in accordance with law, within a period of six weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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