

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10400 of 2022

Ganga Paswan Son of Late Bahadur Paswan, resident of Mohalla Pankha Toli
via Mai Asthan, P.S. - Kazi Mohammadpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Muzaffarpur.
2. The District Magistrate, Muzaffarpur.
3. The Municipal Corporation, Muzaffarpur through the Commissioner,
Municipal Corporation, Muzaffarpur.
4. The Commissioner, Municipal Corporation, Muzaffarpur.
5. The Circle Officer, Musahri Circle, Muzaffarpur.
6. Shailendra Paswan, S/o Late Chhote Lal Paswan, resident of village Pankha
Toli, Ward No. 25, P.S. - Kazi Mohammadpur, District - Muzaffarpur.
7. Mahendra Paswan, S/o Late Heera Paswan, resident of village Pankha Toli,
Ward No. 25, P.S. - Kazi Mohammadpur, District - Muzaffarpur.
8. Suresh Paswan, S/o Late Bahadur Paswan, resident of Village Pankha Toli,
Ward No. 25, P.S. - Kazi Mohammadpur, District - Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha,Adv.

For the Respondent/s : Mr.Md. Khurshid Alam,AAG-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-04-2023 The present writ petition has been filed
seeking the following relief:-

*“1.i. For issuance of an order, direction
or writ of mandamus or any other
appropriate writ for directing the
respondents no. 2 to 5 to remove the
encroachment made by respondents no.
6, 7 & 8 on Municipal Road having Khata
No. 613, Khesra No.97.”*

At the outset, the learned counsel for the
petitioner seeks a direction upon the Municipal
Commissioner, Muzaffarpur Municipal Corporation,
Muzaffarpur to take appropriate action for removal of



the encroachment made over the municipal road in question, situated at Khata No. 613, Khesra No.97, Village-Pankha Toli, P.S. Kazi Mohammadpur, District-Muzaffarpur.

Having regard to the facts and circumstances of the case, as also considering the amended Section 435 of the Municipal Act, 2007, this Court deems it fit and proper to direct the Municipal Commissioner, Muzaffarpur Municipal Corporation, Muzaffarpur, to ensure initiation of appropriate encroachment proceeding and conclusion thereof, in accordance with law, in case appropriate petition is filed by the petitioner before the Municipal Commissioner, Muzaffarpur Municipal Corporation, Muzaffarpur within a period of four weeks from today. It is expected that the entire exercise shall be completed within a period of six weeks of filing of the aforesaid petition by the petitioner.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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