

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18423 of 2021

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Bashisht Kumar Mishra Son of Late Manna Mishra Resident of Mohalla -
Mouna Mishra Toli ward No. 35, P.S. Chapra Town District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Urban Development and Housing Department Govt. of Bihar, Patna.
3. The Principal Secretary, Revenue and Land Reforms Department Govt. of Bihar, Patna.
4. The District Magistrate, Saran at Chapra.
5. The Superintendent of Police, Saran at Chapra.
6. The Sub - Divisional Magistrate Sadar, Chapra.
7. The Circle Officer, Sadar, Chapra.
8. The Commissioner, Chapra Municipal Corporation Saran at Chapra.
9. The Deputy Commissioner, Chapra Municipal Corporation, Saran at Chapra.
10. Mithilesh Rai S/O Late Dharm Nath Rai Residing at Mouna Naiye Basti Nepal Timber Gali ward No. 35 Gandhi Chowk, P.S. Chapra Town and District of Saran at Chapra.
11. Tarun Srivastava S/O Name not known Residing at Mouna Naiye Basti Nepal Timber Gali ward No. 35 Gandhi Chowk, P.S. Chapra Town and District of Saran at Chapra.
12. Pramod Jee Son of Naresh Prasad Residing at Mouna Naiye Basti Nepal Timber Gali ward No. 35 Gandhi Chowk, P.S. Chapra Town and District of Saran at Chapra.
13. Shankar Prasad Son of Baijnath Prasad Residing at Mouna Naiye Basti Nepal Timber Gali ward No. 35 Gandhi Chowk, P.S. Chapra Town and District of Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sharma
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 07-12-2023 Heard the parties.

2. The present application has been filed for directing the
Respondents No. 10 to 13 to remove the encroachment over



PCC Road which is situated in Mohalla Mouna Naiye Basti Nepal Timber Gali, Ward No. 35, Gandhi Chowk, P.S. Chapra under Town and District Saran at Chapra.

3. The dispute is with regard to the ownership of the plot in question which as per the petitioner is a public road whereas the counter affidavit of the Respondent No. 8 and 9 shows that the land is the personal land of Mithilesh Roy and Pramod Ji over which PCC road has been constructed by the the Nagar Nigam and the wall has been constructed on the Raiyati land of the petitioner.

4. In view of the above, this writ application has no merit and the same is dismissed.

(Sandeep Kumar, J)

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