

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16159 of 2014

Vijay Kumar Ojha S/o Late Sachida Nand Ojha, resident of Mohalla-New Colony Balughat, P.S. Nagar, Thana and District-Muzaffarpur

... .. Petitioner/s

Versus

- 1) The State of Bihar
- (2) The Commissioner, Tirhut Division, Muzaffarpur
- (3) The District Magistrate Muzaffarpur
- (4) The Deputy Land Reforms, East Muzaffarpur
- (5) The Circle Officer, Mushhari Anchal, Mushari, District-Muzaffarpur
- (6) The Muzaffarpur Municipal Corporation Muzaffarpur through the Executive Officer
- (7) Vijay Kumar Singh S/o Late Dip Narain Singh Resident of New Colony Balughat, P.S. Nagar, Thana & District – Muzaffarpur
- (8) Smt. Manju Devi wife of Vijay Kumar Singh, Resident of New Colony Baughat, P.S. Nagar, Thana & District-Muzaffarpur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sri Sunil Kumar Singh, Advocate
For the Respondent/s : Mr.Gautam Bose, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-08-2023 1. The present writ petition has been filed seeking the following relief:-

“(1) That this writ petition is being filed with a prayer for issuance of a writ in the nature of a writ of Certiorari for quashing the entire proceeding of Encroachment Case No. 2 of 2010-11 concluded under section 133 Cr.P.C. as contained in Annexure-1 of the writ petition including the final order dated 28th June 2011 passed therein and



further for issuance of a writ in the nature of a writ of Mandamus commanding upon the Respondents Authorities to take appropriate and adequate steps for removal of the obstruction created by the Respondent no. 7 & others being in collusion with the Circle Officer Mushari Anchal, over 60 Feet long and 10 Feet wide Road of Khesra no. 88 Khata no. 19 situated at New Colony, Balughat, P.S. Nagar, District -Muzaffarpur in light of the order passed by the Collectorate, Muzaffarpur on 09th July 2011 (Annexure-13) the DCLR, Muzaffarpur on 23 November 2011 (Annexure-14) and the Commissioner's letter dated 11th April 2014 and thus restraining the Respondent No. 7 and others not to obstruct and prohibit the petitioner as well as others from their outgress and ingress of making access to the main Road and also to remove obstruction created on the said road."

2. At the outset, the learned counsel for the



petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, for redressal of the aforesaid grievances. Liberty, so sought, is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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