

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18219 of 2022

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Shrawan Kumar @ Shrawan Prasad S/o Sri Ram Babu Prasad @ Ram Babu Patwa, a resident of Village- Nakati Devi Road, P.O. and P.S.- Dighwara, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Government of Bihar, Patna.
2. The District Magistrate, Saran at Chapra.
3. The then Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Saran at Chapra.
4. The Additional Collector-cum-Chief Executive Officer, Zila Parishad, Saran at Chapra.
5. The District Engineer, Zila Parishad, Saran at Chapra.
6. The Assistant Engineer, Zila Parishad, Saran at Chapra.
7. The Junior Engineer, Zila Parishad, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	M/s Nitesh Kumar Sumit Kumar, Advocates
For the Respondent/s	:	M/s Kinkar Kumar, SC 9 Deepika Sharma, AC to SC 9 Aayush Abhishek, AC to SC 9
For the Zila Parishat Saran:	:	Mr. Niksh Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 31-01-2023



Heard learned counsel for the parties.

The petitioner has prayed for the following relief(s):-

“That this is an application for issuance of a writ in the nature of mandamus for directing the respondents to allot the shop no. 248A to the petitioner which is contained in the list of allotment of shops to the concerned encroachers attached to the letter no. 043 dated 25.3.2021 but illegally and arbitrarily the concerned shop was not allotted to the petitioner. The name of the petitioner was at serial no. 248A in the aforesaid list and to grant any other relief/reliefs to which the petitioner is found entitled to including the cost of this proceeding.

A copy of the letter no. 043 dated 25.3.2021 alongwith list is annexed hereto and marked as Annexure - 1.”

Learned counsel for the petitioner as well as learned counsel for the respondents jointly state that the present petition can be disposed of in the light of the decisions dated 09.01.2023 rendered by this Court in CWJC No.6312 of 2022, titled as **Md. Sabir Ansari & Ors. Vs. The State of Bihar & Ors** and other analogous cases.

As such, as jointly prayed for, the instant petition stands disposed of in terms of judgment rendered in **Md.**



Sabir Ansari (supra) and the directions contained therein shall also govern the instant case *mutatis mutandi*, to the extent possible.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Spd/-K.C.Jha

AFR/NAFR	
CAV DATE	
Uploading Date	01.02.2023
Transmission Date	

