

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1473 of 2023

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1. Satyendra Kumar Son of Ram Naresh Singh resident of Mohalla- Krishna Nagar, Naya Tola, Saguna More, P.S.- Danapur, District- Patna.
 2. Raj Ballabh Kumar, Son of Paras Rai, resident of Mohalla- Krishna Nagar, Naya Tola, Saguna More, P.S.- Danapur, District- Patna.
 3. Dharmvir Rai Son of Ramdayal Rai, resident of Mohalla- Krishna Nagar, Naya Tola, Saguna More, P.S.- Danapur, District- Patna.
 4. Sarvesh Kumar, Son of Babulal Rai, resident of Mohalla- Krishna Nagar, Naya Tola, Saguna More, P.S.- Danapur, District- Patna.
 5. Ranjiv Ranjan Yadav Son of Late Ram Nandan Singh, resident of Mohalla- Krishna Nagar, Naya Tola, Saguna More, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub- Divisional Officer, Danapur, Patna.
4. The Circle Officer, Danapur, Patna.
5. The Municipal Executive Officer, Danapur Nagar Parishad, Danapur, Patna.
6. The Station House Officer, Danapur, Police Station- Danapur, Patna.
7. Jai Prakash Rai, Son of Late Ram Ratan Rai, Resident of Naya Tola, Saguna More, P.S.- Danapur, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Raj Shekhar,Adv.
For the Respondent/s : Mr.Md. Khurshid Alam,AAG-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-03-2023

The present writ petition has been filed
seeking the following relief:-

"1.i. Issuance of a direction/s, order/s or writ/s including writ in the nature of "Mandamus" for demolition of outer roof (Chhajja) constructed on public road by



the private respondent no. 7, situated at Mohalla- Krishna Nagar, Tola, Saguna More, under Danapur Circle pertaining to khata no. 213, survey plot no. 296 at North side and khata no. 220, survey plot no. 220 at south side in Tauji no. 23 under Mauza Saguna.

ii. Issuance of a direction/s, order/s or writ/s including writ in the nature of "mandamus" to restrain the private respondent no. 7 for further construction of outer roof (Chhajja) on public road.

iii. Issuance of direction/s, order/s or writ/s upon the respondents to consider the application of the petitioners for removing the encroachment from public road and further granted other legal consequential benefit to the petitioners."

At the outset, the learned counsel for the petitioners submits that the petitioners be granted liberty to approach the Municipal Executive Officer, Danapur Nagar Parishad, Danapur, Patna i.e. respondent no.5, for redressal of their aforesaid grievances.

Liberty so sought is granted.

It is needless to state that in case



appropriate petition is filed by the petitioners, within a period of four weeks from today, the same shall be considered, in accordance with law, and after hearing the affected parties, a reasoned and a speaking order shall be passed thereon, 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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