

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15177 of 2018

Phani Bhushan Son of Late Ram Balak Singh, Resident of Village-Rupas Mahajee, Police Station Bakhtiarpur, District Patna, At Present Posted as Laboratory Attendant in the Office of Joint Director of Agriculture, Adoptive Research, Bihar, Patna Mithapur Agriculture Farm, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Agriculture Department, Government of Bihar, Patna.
3. The Director, of Agriculture, New Secretariat, Patna.
4. Joint Director Chemist, Soil Testing Laboratory, Mithapur Agriculture Area/ Prachhetra Patna, Biha
5. The Joint Director, Agronomy/Shesiya, Patna Division, Patna.
6. The District Magistrate, Patna.
7. The Circle Officer, Patna Sadar, Patna.
8. THe Finance Commissioner, Government of BIhar.
9. Bishwanath Paswan Peon through Joint Director, Chemist (Soil) Testing Laboratory, Mithapur Farm Chemist Building, Pat
10. Sunil Mahto C/o Sahil Raj Clerk through Joint Director, Chemist Soil Testing Laboratory, Mithapur Farm Chemist Building, Patna, Bihar, P.O. G.P.O., Patna, Bihar.
11. Ram Pratap Mahto Peon through Joint Director Chemist Soil Testing Laboratory, Mithapur Farm Chemist Building, Patna, Bihar, P.O. G.P.O., Patna, Bihar.
12. Hoti Lal Prasad Laboratory Attendant through Joint Director Chemist Soil Testing Laboratory, Mithapur Farm Chemist Building, Patna, Bihar, P.O. G.P.O., Patna, Bihar.
13. Tan Sen Ram Peon through Joint Director Chemist Soil Testing Laboratory, Mithapur Farm Chemist Building, Patna, Bihar, P.O. G.P.O., Patna, Bihar.
14. Vijendra Prasad@ Vijendra Gope, Peon through JOint Director, Chemist Soil Testing Laboratory, Mithapur Farm Chemist Building, Patna, Bihar, P.O. G.P.O., Patna, Bihar.
15. Lalan Ram Peon through Joint Director Chemist Soil Testing Laboratory, Mithapur Farm Chemist Building, Patna, Bihar, P.O. G.P.O., Patna, Bihar.
16. Ramu Raj Peon through Joint Director Chemist Soil Testing Laboratory, Mithapur Farm Chemist Building, Patna, Bihar, P.O. G.P.O., Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Chandra Sen Prasad Singh, Advocate



For the Respondent/s : Mr.Chitranjan Sinha- PAAG-2
Mr. Jay Prakash Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 11-09-2024 The present writ petition has been filed
seeking the following reliefs:-

“1. I) For issuance of appropriate Writ in the nature of Mandamus commanding and directing the respondents specially Respondents No. 4 and 5 to remove the encroachment forthwith, who have made encroachment by constructing huts, whose names have been mentioned in Letter No. 354 dated 13/4/18 and they are creating hindrance in discharge of official duty of the employee of the office of Respondent No. 4 and 5.

II) For issuance of appropriate Writ in the nature of Mandamus commanding and directing the respondents to stop payment of salary of the persons whose names have been mentioned as those who have occupied the public land by constructing huts without sanction of law.

III) For issuance of Writ in the nature of Mandamus commanding and directing the respondents to initiate Departmental Proceeding for encroaching the public land since long



and recover the cost from encroachers.

IV) For issuance of Writ in the nature of Mandamus commanding the respondents to initiate a departmental proceeding for recovery of House Rent, Electric Consumption Bill and Water Consumption bill, Travelling allowance etc. from unauthorised occupants/ encroachers of public land of the office concerned and further to remove the encroachment within 48 hours and recover the cost of removal from encroachers."

2. At the outset, the learned counsel for the respondent-State submits, by referring to the supplementary counter affidavit filed on behalf of the respondent no. 5 that the premises in question has already been vacated, hence the present writ petition has been rendered infructuous.

3. The learned counsel for the petitioner submits that in case the premises in question has already stood vacated, he has got no grievance, at the moment, however, he be granted liberty to approach the respondent authorities in case of any subsisting grievance. Liberty, so sought, is



granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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