

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14456 of 2024

Shambhu Kumar son of Sri Ram Narayan Singh, resident of Narayan Kwas,
road no. 1, House no. 61, Indrapuri, Keshrinagar, P.S.- Rajiv Nagar, District-
Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development Department, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development Department, Government of Bihar, Patna.
3. Patna Municipal Corporation, through Municipal Commissioner, Maurya Lok Complex, under Kotwali P.S. District- Patna, Bihar
4. Municipal Commissioner, Patna Municipal Corporation, M, Bihar State Madarsa Education Board, Patna. Maurya Lok Complex under Kotwali Police Station, District- Patna, Bihar.
5. Executive Officer, Patliputra Circle, Patna Municipal Corporation, Patna.
6. Executive Engineer, Patliputra Circle, Patna Municipal Corporation, Patna.
7. District Magistrate, Patna, Bihar.
8. Senior Superintendent of Police, Patna.
9. Station House Officer, Patliputra Police Station, Patna.
10. Bihar State Housing Board, through it's Managing Director Manglus Road, Patna under Sachivalya Police Station, Bihar, Patna.
11. Managing Director, Bihar State Housing Board Mangalus Road under Sachivalaya Police Station, Bihar, Patna.
12. Amit Kumar, son of Late Shankar Ray, resident of Kurji Kothiya, P.O.- Sadakat Ashram, P.S. Digha, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Advocate General

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)

2 27-09-2024 No one appears for the petitioner.

2. The petitioner is aggrieved with the construction
carried out by the 12th respondent, without a Map approved by



the Competent Authority and encroaching upon a public road. The petitioner does not have any pleading as to the specific statute and provision under which a Map is to be obtained; the violation of which is the allegation raised. Further the land is alleged to be of the Housing Board, without any substantiation. The writ petition is misconceived and obviously it is a personal attack against the 12th respondent. As far as the allegation of encroachment on a public road the petitioner has an alternate remedy to proceed under the Bihar Public Land Encroachment Act, 1956. There cannot be maintained a Public Interest Litigation on the subject matter nor is the invocation of the extraordinary power possible; when there is such an alternate efficacious remedy available, especially with the sketchy avernments as available in this writ petition.

3. Present petition stands dismissed with the liberty aforesaid; without any observation on merits, or even the *locus standi* of the petitioner, which has to be decided by the Appropriate Authority under the Act of 1956.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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