

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15452 of 2015

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Arun Kumar Mishra son of Sri Durga Nand Mishra, Resident of village Mahinathpur, P.S. Bhairab Asthan, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Madhubani
3. The Sub Divisional Officer, Jhanjharpur, District- Madhubani
4. The Circle Officer, Jhanjharpur, District- Madhubani
5. Ganga Nath Jha son of Late Deo Nandan Jha, Resident of village Mahinathpur, P.S. Bhairab Asthan, District- Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Adv.
For the Respondent/s : Mr.AAG-6

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 05-09-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.I) For issuance of direction to the respondents to remove the Septic tank from Public Road, situated at Mouza Mahinathpur, Khata No.547, Plot No. 777 an area 31 decimals, which is recorded as Anabad Sarvasadharan rasta, which has been encroached by Respondent No.5.

II) For a direction to the Respondent No.3, Sub Divisional Officer, Jhanjharpur to act on representation dated 6/7/2013 filed by the petitioner in pursuance to the order dated 24/6/13 passed in M.J.C No. 6570 of 2012 for removal of Septic tank made over public road as the toilet attached to



septic tank has been removed by the authorities during the pendency of contempt application.

III) For holding that the Public land/Rasta which has been encroached by Private Respondents is under illegal possession and it should be vacated for larger interest of the Public.”

2. Though the present writ petition has been filed for removal of septic tank from the public road, appertaining to Khata No. 547, Plot No. 777, situated at Mauza-Mahinathpur, P.S. Bhairab Asthan, District-Madhubani, however, the learned counsel for the respondent-State submits that the encroachment in question has already stood removed, nonetheless, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent authorities, in case of any subsisting grievances. Liberty so sought is granted.

3. Accordingly, the writ petition stands disposed off.

(Mohit Kumar Shah, J)

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