

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14307 of 2024

1. Surendra Prasad Singh Son of Ram Lakhan Singh Resident of Mohalla Vivek Vihar P. O. and P S Mohanpur, District - Samastipur.
2. Sanjeev Kumar Gupta Son of Shyam Kishore Sah Resident Ward No.-72/07 P.S.-Kashipur, District-Samastipur.
3. Amar Kumar Roy Son of Ashok Kumar Roy Resident of Mohalla-Veer Kunwar Singh Colony, Ward no.-05, P.S.-Kashipur, District-Samastipur.
4. Rajeev Kumar Tiwari Son of Ravindra Prasad Tiwari Resident of Ward no.-05, West of Tirhut Academy, P.S.-Kashipur, District-Samastipur.
5. Prakash Kumar Son of Kamal Dev Pandey Resident of Village-Dadhiya Asadhar, P.S.-Angarghat, District-Samastipur.
6. Umashankar Mishra Son of Late Mahesh Prasad Mishra Resident of Mohalla-Ward no.17, Ram Babu Chowk, P.S.-Samastipur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, District-Samastipur.
2. The Circle Officer, Samastipur, District-Samastipur.
3. The Municipal Commissioner, Nagar Nigam Samastipur, District-Samastipur.
4. The SHO, Town Police Station, District-Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
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 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.



2. Further the alleged encroachers are not made a party to the 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; if a proper application is moved with the necessary parties arrayed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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