

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16517 of 2023

Vinay Kumar Rai @ Baleshwar Singh Son of Late Shiv Shankar Singh
Resident of Mohalla-Eastern Nauratanpur Ward No.21, Sanjay Nagar, P.O.
and Police Station-Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Urban Development and Housing Development, Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Circle Officer, Sadar, Patna.
4. The Patna Municipal Corporation, through Municipal Commissioner, Patna Municipal Corporation, Patna.
5. The Executive Officer, Kankarbagh Anchal, Patna Municipal Corporation, Patna.
6. The S.H.O. Kankarbagh Police Station, Patna.
7. Mahadeo Rai Son of Late Vishwanath Rai Resident of Mohalla-Eastern Naubatpur Ward No.21, Sanjay Nagar, P.O. G.P.O., Police Station-Kankarabgh, District-Patna.
8. Randhir Kumar Son of Mahadeo Rai Resident of Mohalla-Eastern Naubatpur Ward No.21, Sanjay Nagar, P.O. G.P.O., Police Station-Kankarabgh, District-Patna.
9. Rajeev Kumar Son of Mahadeo Rai Resident of Mohalla-Eastern Naubatpur Ward No.21, Sanjay Nagar, P.O. G.P.O., Police Station-Kankarabgh, District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Prasad Singh, Adv.
For the State	:	Mr.Subhash Pd. Singh (Ga3)
		Mr. Indeshwari Prasad Mandal, AC to GA-3
For the PMC	:	Mr. Sanjay Prakash Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-05-2024 The present writ has been filed seeking the following
reliefs:-

“1(i). For direction to the respondent Municipal Corporation to remove the encroachment made by the Respondent 2nd set over the Public Road bearing Khata No.52, Plot No.278, Tauzi No.470,



Mauza Navratanpur having width of 12 ft. out of which 6 ft. width has been encroached by private respondent causing obstruction in the Pathway to the petitioner and other resident of the locality.

(ii). For direction to the respondent authorities to take appropriate action for removal of encroachment from the public path for which notice dated 8.12.2021 was issued by the Executive Officer, Kankarbagh Anchal, Patna Municipal Corporation directing the private respondents to remove the encroachment within 7 days by implementing the same as provided under the Bihar Municipal Act, 2007.

(iii). For direction to the local Administration to take appropriate action against the private respondent who illegally without authority has encroached the public path for which several representations have been filed by the petitioner and other public of the locality.”

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent authorities for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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