

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17361 of 2024

Ashok Kumar Choudhary Son of Late Ugalakishore Chaudhary Resident of
Village-Bandhar P.S.Hathauri, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Samastipur.
2. The Addl. Collector, Samastipur.
3. The Sub-Divisional Officer, Samastipur.
4. The Circle Officer, Shivajee Nagar, District-Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Government Pleader (14)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-11-2024 The present writ petition has been filed
seeking the following reliefs:-

“1. i) For issuance of an appropriate direction, order or writ in the nature of Mandamus commanding the respondents to remove the encroachment from the public road appertaining to khata no. 220, khesra nos. 478, 492 and 436, situated at Shivajee Nagar Block, District-Samastipur, which has been encroached by the nearby residents, creating undue disturbance for egress and ingress of the villagers and people of the locality, since the same is the only road by which the villagers used to visit the Circle Office as well as the District Headquarter, Samastipur.



ii) For holding and declaring that no person is authorized to make any encroachment over the public road or pond in view of the latest judgement of the Hon'ble Supreme Court reported in 2016(3) PLJR 268(SC) and, therefore, the respondents are bound to remove the encroachment from the public road."

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Shivajee Nagar, District-Samastipur, 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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