

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8178 of 2025

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Bharat Kumar Son of Late Mohnath Jha, resident of village Sarisab Pahi,
Police Station-Pandaul, District- Madhubani, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Road Construction, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Road Construction Government of Bihar, Patna.
3. The District Magistrate, Madhubani.
4. The Executive Engineer, Road Construction Department, Madhubani.
5. The Circle Officer, Pandaul, District- Madhubani.
6. The Station House Officer, Pandaul, District -Madhubani.
7. The In-Charge, Pahi, Police Outpost, Police Station-Pandaul, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pravashankar Mishra
For the Respondent/s : Mr.Advocate General

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 12-09-2025 In the instant petition, petitioner has prayed for the
following relief(s):-

“(i) To issue a Writ in the nature of Mandamus to directing upon respondents to remove the encroachment from the 3 kilometers long old National Highway No.57 road which is situated within Sarisab Pahi East and West Panchayat under Pandaul block in Madhubani district and it is connecting to all together three Gram Panchayats and more than 10 villages which populations are not less than 30,000 and also it is the only road to connect the Primary Health Centre of the local village, one 10+2 Government School, two Degree College and various Government institutions situated in the village and



the said road is only the way to go above said places and also it is the only connecting road to the new National Highway No.27.

(ii) To issue writ in the nature of Mandamus directing upon the respondent Circle Officer, Pandaul, Madhubani to not allow further encroachment over the said road.

(iii) To any other relief or reliefs to which the petitioner is entitled in the facts and circumstances of the case.”

2. It is necessary to re-produce Para 6 of the counter affidavit filed on behalf of the Respondent No. 4 and it reads as under:-

“6. That the Circle Officer, Pandaul vide Letter No. 1616 dated 18.09.2023 informed the answering respondent to lodge temporary FIR in view of Chief Secretary Letter No. 3131 dated 17.04.2018 and then request him for removal of encroachment.”

3. In the light of the aforementioned admission, the concerned authorities are hereby directed to expedite the matter for removal of encroachment within a outer limit of six months from today.

4. With the above observations, the present CWJC No. 8178 of 2025 stands disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

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