

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2803 of 2015

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Yugal Kishore Thakur son of Late Nanipat Thakur, resident of village-
Dadhiya, P.S.-Chakmehshi, Block- Kalyanpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Land Acquisition and Revenue
Department, Bihar, Patna.
3. The Commissioner, Darbhanga.
4. The District Magistrate, Samastipur.
5. The Sub-Divisional Officer, Samastipur.
6. The D.C.L.R. Samastipur.
7. The Circle Officer, Kalyanpur, Samastipur.
8. The Officer-in-charge, Chakmehshi, Samastipur.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Respondent/s : Mr. Awanish Nandan Sinha, G.P.-11

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 18-08-2015 Heard the parties.

Even when the petitioner complains of encroachment by certain persons on a plot of public land bearing Khata No. 108, Plot No. 574 and 576 in Mauja-Dadhiya under Kalyanpur Block in the district of Samastipur, all that he relies upon is a representation filed before the District Magistrate and Sub-Divisional Officer. There is no formal application filed under the provision of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act') in the manner prescribed nor the alleged encroachers have been arrayed as respondents.

In the circumstances, this writ petition is disposed of and the petitioner, if so advised, may file an appropriate application before the Circle Officer or any authority discharging functions of a Collector under 'the Act' giving the details of the public land in question, the name of the persons who are charged with encroachment as well as the extent of encroachment made by them. It goes without saying that any such application filed by the petitioner would be considered and disposed of by the statutory authority in accordance with law and after hearing the contesting parties including the petitioner and the alleged encroachers expeditiously and preferably within six months of filing of such application.

S.Sb/-

(Jyoti Saran, J)

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