

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1947 of 2014

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1. Munna Kumar Son of Shri Vishram Patel @ Mantu R/O Village - Kobeya, P.O. Panapur, P.S. Harshiddhi, District - East Champaran, Motihari

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary of the Rural Development Deptt. Bihar, Patna
2. Divisional Commissioner, Tirhut Division, Muzaffarpur
3. District Magistrate-Cum-Collector, East Champaran, Motihari
4. Sub - Divisional Officer, Areraj District Motihari
5. Anchaladhikari, Sugouli, District East Champaran, Motihari

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.
For the Respondent/s : Mr. Manish Kumar, G.P.8

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 12-08-2015 Heard Mr. Sharda Nand Mishra, learned counsel for the petitioner and learned counsel for the State.

Whereas the petitioner complains of encroachment by certain persons on a public land which according to the petitioner is in the nature of 'Gairmazarua Aam Rasta' bearing Khata No. 88, Keshra No. 689 but neither the area nor any specific details of the encroachment has been mentioned.

In the circumstances, the writ petition is disposed of with liberty to the petitioner if so advised, to file an appropriate application under the provisions of Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act') by

arraigning the alleged encroacher as well as giving the details of encroachment on the public land and any such application being filed by the petitioner would be considered and disposed of by the Collector under ‘the Act’ in accordance with law and after giving opportunity of hearing to the alleged encroacher.

(Jyoti Saran, J)

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