

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12668 of 2015

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Surendra Kumar Mahto @ Surendra Prasad Mahto son of Nageshwar Mahto, resident of village-Kishnichak, P.S. Ishipur(Pirpaiti), district Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Development Department
2. The Commissioner of Bhagalpur.
3. The District Magistrate, Bhagalpur.
4. The Sub Divisional Officer, Kahalgaon, Bhagalpur
5. The Circle Officer, Pirpaiti.
6. Sadhu Mahto, son of Late Gouri Shnakar Mahto.
7. Nandlal Mahto, son of late Shivnath Matho, both are resident of village-Kishnichak, P.S. Ishipur (Pirpaiti), District Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Adv.

For the Respondent/s : Mr. Dhurjati Kr Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 20-08-2015 The petitioner complains that the private respondents have encroached on a public land, the details of which are missing.

In the circumstances, the writ petition is disposed of and the petitioner if so advised may file an appropriate application under the provisions of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as ‘the Act’) before the Circle Officer or any other authority vested with the powers of a Collector under ‘the Act’ by arraigning the alleged encroachers as also by giving the details of the public land encroached and it goes without saying that 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 contesting parties including the petitioner as well as the alleged encroachers.

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(Jyoti Saran, J)