

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10796 of 2014

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1. Ram Chandra Prasad Son of Late Chathu Prasad, resident of Mohalla-Chandmari, P.S- Motihari Nagar, Motihari, District- East Champaran.
 2. Chaudhur Ram Son of Late Tapi Ram, resident of Mohalla- Chandmari, P.S- Motihari Nagar, Motihari, District- East Champaran.
 3. Motihari Jan Kalyan Samiti through its Secretary Purusottam Sharma, Registration No. 163/2013-14, Baluatal Motihari, District - East Champarn.
 4. Vinod Kumar Son of Sri Rajendra Prasad, resident of Mohalla-Chandmari, P.S- Motihari Nagar, Motihari, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, East Champaran, Motihari.
3. The Sub- Divisional Officer, Sadar Motihari, District- East Champaran.
4. The Circle Officer, Motihari, District- East Champaran.
5. The Executive Officer, Nagar Parishad, Motihari, District- East Champaran.

.... Respondent/s

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Appearance :

For the Petitioners : Mr. Subodh Kumar Mishra, Advocate
For the Respondent-State : Mr. S. Raza Ahmad, A.A.G.-9
Mr. Md. Anisul Haque, A.C. to A.A.G.-9
For the Bettiah Estate : Mr. Binod Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE GOPAL PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

11 15-01-2015 This writ petition in public interest is filed with a specific prayer to direct the respondents herein, to remove the encroachment from Plot No.32 under Village Baluatal, Thana No.105, Motihari, District- East Champaran. Certain other ancillary reliefs are also claimed.

Heard Sri Subodh Kumar Mishra, learned

counsel for the petitioners and Sri S. Raza Ahmad, learned A.A.G.-9, for the respondents.

The record discloses that this Court passed certain orders on earlier occasions. The respondents have categorically stated that the State has no right or interest over the land in question. It is alleged that the said plot is a raiyati land. If the owner of the land does not have any grievance about the alleged encroachment, it is just understandable what grievance the petitioners can have.

We, therefore, dismiss the writ petition as totally misconceived.

Interlocutory application, if any, shall stand disposed of. There shall be no order as to costs.

(L. Narasimha Reddy, CJ)

(Gopal Prasad, J)

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