

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1640 of 2015

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Kaushalya Devi, wife of Late Shiv Nandan Mauar, resident of Village- Kol Bujurg, P.O.- Kaushalpur, P.S. and Anchal- Amarpur, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
2. The District Magistrate, Banka
3. The Deputy Collector Land Reforms, Banka
4. The Circle Officer, Anchal- Amarpur, District- Banka
5. The Officer in Charge, Amarpur Police Station, District- Banka
6. Badal Poddar, son of Late Anandi Poddar, resident of Village- Kol Bujurg, P.O.- Kaushalpur, P.S. and Anchal- Amarpur, District- Banka
7. Karu Poddar, son of Badal Poddar, resident of village- Kol Bujurg, P.O.- Kaushalpur, P.S. and Anchal- Amarpur, District- Banka

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

For the Respondent/s : Mr. Rajesh Kumar, GP-19

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 06-08-2015 Heard the parties.

Although a complaint is being made by the petitioner against the private respondents obstructing her passage but perusal of the counter affidavit filed on behalf of the Circle Officer manifests that the plot in question is a raiyati land of the private respondents and thus the dispute in between the parties is private in nature relatable to easementary right.

In the circumstances, no case for initiation of proceedings under the Bihar Public Land Encroachment Act is

made out and the petitioner would be well advised to seek her remedy under the civil laws of land before the appropriate forum by filing an appropriate application.

The writ application is disposed of.

(Jyoti Saran, J)

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