

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12258 of 2014

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Satyendra Kumar, son of Ram Nath Prasad, R/o Pakri Bengali, Gaushala Road,
P.S. and District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reform, Government of Bihar, Patna.
2. The Collector, Siwan.
3. The Chairman, Gaushala Committee, Siwan cum the Sub-Divisional Officer, Siwan.
4. The Circle Officer, Panchrukhi Block, District Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate

For the Respondent/s : Mr. AJAY, G.A. XII

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 09-02-2015

The petitioner approached this Court by way of this writ petition alleging that private individuals have encroached into the land of Gaushala at Siwan and the respondents authorities are not taking steps for removal of the encroachments.

The 4th respondent has filed a detail counter affidavit stating that the Revenue Karmchari and Circle Inspector visited the area. It is also stated the land, which is standing in the name of Gaushala, was encroached to

certain extent by four persons, by names Abdul Rahim, Ram Ratan Prasad, Sawariya Devi and Piyariya Devi and they, in turn, have filed Title Suit No.455 of 2012 in the Civil Court. It is also stated the Government has no control or interest in the land owned by the Gaushala.

Heard Sri Dhananjay Kumar Tiwary, learned counsel for the petitioner and Sri Ajay, learned Government Advocate XII for the respondents.

The grievance of the petitioner is that the land owned by the Gaushala- 3rd respondent is under encroachment. However, the 3rd respondent did not make any such complaint.

Be that as it may, the dispute in relation to land of Gaushala is the subject matter of a title suit. That being the case, the public interest litigation cannot be entertained. This writ petition is dismissed.

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

(L. Narasimha Reddy, CJ)

(Vikash Jain, J)

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