

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1103 of 2015

=====

1. Khursheed Anwar S/O- Ghulam Rabbani, Resident of Vill-
Dargah,P.O+P.S- Bettiah, Dist- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Collector, West Champaran at Bettiah.
2. The Sub Divisional Officer, West Champaran at Bettiah.
3. The Circle Officer, Harpur, Manjhauli, West Champaran at Bettiah.
4. The Block Development Officer, Block- Manjhauli, West Champaran at Bettiah.
5. The Superintendent of Police, West Champaran at Bettiah.
6. The Officer In-charge, Manjhauli, P.S- Manjhauli, West Champaran at Bettiah.
7. Sheikh Hasan Jan }
8. Sheikh Ali Imam }
9. Sheikh Babu Jan }
10. Sheikh Ruman } Respondent no. 7 to 10, S/O of Late Sheikh Amil.
11. Gyani Dhunia }
12. Ali Dhunia } Respondent no. 11 and 12, Son of Rahamdin Dhunia.
13. Haqim Dhunia, S/O Mustaqim Dhunia Respondent no. 6 to 12, resident of Vill- Bhogari, P.S- Majhaulia, Bettiah, Dist- West Champaran.

.... Respondent/s

=====

Appearance :

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

For the Respondent/s : Mr. S.A. Alam, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

23-04-2015 Heard Mr. Shanti Kumar, learned counsel for the petitioner
and learned counsel for the State.

This application has been filed by the petitioner praying for
a direction to the authorities under the Bihar Public Land
Encroachment Act, 1956 (hereinafter referred to as ‘the Act’) to
take appropriate steps for removal of encroachment from the
public land situated on Plot bearing No. 3047 of Khata No. 818

admeasuring 59 decimals which is equivalent to 7 kathas and 18 dhurs, which is situated at village Bhogari P.S.-Manjhauli in the District of West Champaran at Bettiah. The complaint that is on record is in the form of representation made by the petitioner which is addressed to the Sub Divisional Officer.

Any complaint of encroachment has to be in tune with the provisions underlying Section 3 of 'the Act' and should arraign the encroachers by giving the details of encroachment made by them.

In the circumstances and in absence of an appropriate application made by the petitioner in the manner prescribed, this writ petition is disposed of with liberty to the petitioner to file a duly constituted application under Section 3 of 'the Act' and any such application filed before the appropriate authority under 'the Act' shall be considered and disposed of in accordance with law after giving an opportunity of hearing to the petitioner as well the alleged encroachers.

(Jyoti Saran, J)

Bibhash/-

U			
---	--	--	--