

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.191 of 2015

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Harun Mian, son of Late Ali Hussain Mian, resident of Shastrinagar, P.O. + P.S.- Bagaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Collector, West Champaran, Bettiah.
3. The S.D.O. Bagaha, West Champaran.
4. The Circle Officer, Bagaha-I, West Champaran.
5. Durga Shankar Tiwari, S/o Late Mahanth Tiwari.
6. Keshav Tiwari, son of Late Shyam Badan Tiwari.
7. Praduman Yadav, son of Late Surat Yadav.
8. Ramapati Mishra, son of Late Bishwanath Mishra.
9. Birendra Mishra, son of Late Murmardan Mishra.
10. Jawahir Nonia, son of Late Adalat Nonia.
11. Pramod Marwari, son of Late Ramji Marwari.
12. Mohan Halwai, son of Late Santu Halwai.
13. Manoj Sah, son of Late Shyam Sundar Sah.

All are residents of village- Shastrinagar, P.O.+P.S.- Bagaha, District- West Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Respondent/s : Mr. Ram Das Singh, AC to GP-19

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 11-02-2015

Heard the parties.

Though the petitioner prays for removal of encroachment on a public land stated to be situated over khata no.234, plot nos.28, 29, 30, and 34 as well as Khata no.346, plot nos.19, 25 and 26 but the records of the proceedings manifest that no formal application has been filed by the petitioner as envisaged under the provisions of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as ‘the Act’) before the Collector under ‘the Act’ for initiating such proceedings and in the circumstances the writ petition is disposed of affording liberty to the petitioner to take recourse to the statutory remedy as provided under ‘the Act’.

(Jyoti Saran, J)

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