

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4932 of 2015**

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Vinod Sadai. S/o Late Vikram Sadai. Resident of Village - Bardai, P.S.-  
Babubarhi, District - Madhubani (Bihar) .... Petitioner

Versus

1. The State of Bihar through the Secretary, Land Revenue and Reforms Department, Govt. of Bihar, Patna.
  2. The Commissioner, Darbhanga Division, Darbhanga.
  3. The District Magistrate, Madhubani.
  4. The Deputy Collector, Land Reforms, Madhubani.
  5. The Sub Divisional Magistrate, Madhubani.
  6. The Circle Officer, Babu Barhi Madhubani.
  7. The District Education Officer, Madhubani.
  8. The Block Education Officer, Babu Barhi, Madhubani.
  9. The Head Master Upgraded Middle School, Bardahi, Madhubani.
  10. Manoj Kumar Jha (Secretary Durga Puja Samiti Bardahi). S/o Sri Chakradhari Jha. Resident of Village - Bardahi, P.S.- Babu Barhi, District - Madhubani. .... Respondents
- =====

**Appearance :**

For the Petitioner/s : Mr. Dileep Kumar Singh, Advocate  
For the Respondent/s : Mr. Apurva Kumar, AC to GA 11  
For respondent no.9 : Mr. Prabhat Ranjan Singh, Advocate  
For respondent no.10 : Mr. Suresh Pd. Singh No.1., Advocate

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**

**ORAL ORDER**

**(Per: HONOURABLE THE ACTING CHIEF JUSTICE )**

4      04-04-2016                      Heard Mr. Dileep Kumar Singh, learned Counsel,  
  
appearing on behalf of the petitioner, and Mr. Apurva Kumar,  
  
learned Assistant Counsel to Government Advocate No.11,  
  
appearing on behalf of the State. Heard also Mr. Prabhat Ranjan  
  
Singh, learned Counsel appearing on behalf of the respondent  
  
no.9, and Mr. Suresh Prasad Singh No.1, learned Counsel,  
  
appearing on behalf of the respondent no.10.

With the help of this writ petition, made under Article

226 of the Constitution of India, in the form of Public Interest Litigation, the petitioner has sought for issuance of appropriate direction to the State-respondents to remove the illegal encroachment from the land in question made by respondent no.10.

Perused the writ petition and the materials on record and also the counter affidavit which has been filed by the respondents.

On perusal of the materials on record and hearing the learned counsel for the parties concerned, we find that this writ petition raises several questions of facts, which would be an ideal situation for determination by Civil Court of competent jurisdiction.

In view of the above and in the interest of justice, this application is hereby disposed of with liberty granted to the petitioner to approach the Civil Court of competent jurisdiction for remedy of the grievances raised in the writ petition, if so advised.

**(I.A. Ansari, ACJ)**

**(Samarendra Pratap Singh, J)**

Shashi.

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