

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8234 of 2017

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Sri Sri 108 Shankar Parvati W/o Ganesh Jee Maharaj Mandir Temple Srimati Rani Devi wife of Sri Naresh Singh D/o Late Chandrika Singh, Resident of Village- Sahni P.S. Magadh University, Bodh Gaya, Panchayat Mera Mardana Anchal Bodh Gaya P.O.Bishunpura, P.S. Magadh University Bodh Gaya, District- Gaya.

.... Petitioner/s

Versus

1. State of Bihar through the Chief Secretary of Bihar, Old Secretariat, Bailey Road, Patna.
2. The Home Commissioner, Govt. of Bihar, Bailey Road, Old Secretariat, Patna.
3. Bihar Dharmik Nyas Board, Vidyapati Marg, Patna.
4. Commissioner of Gaya, Magadh Range, Gaya.
5. District Magistrate, Gaya.
6. Senior Superintendent of Police, Gaya.
7. Superintendent of Police, Gaya.
8. Deputy Superintendent of Police, Bodh Gaya.
9. Officer Incharge, of Magadh University, P.S. Bodh Gaya, District Gaya.
10. D.R.D.O. Sadar Gaya.
11. Circle Officer, Bodh Gaya.
12. Ramdeo Yadav, Son of Late Ram Dhari Yadav.
13. Sanjay Anand Singh Son of Late Rajeshwar Singh.
14. Ashok Singh Son of Late Bindeshwar Singh.
15. Dasrath Yadav Son of Dukhi Yadav.
16. Tarkeshwar Singh Son of Late Kishun Singh.
17. Surendra Singh Son of Late Rajeshwar Singh.
18. Budhan Yadav Son of Late Panchu Yadav.
19. Dinesh Singh Son of Rajeshwar Singh.
20. Mrigendra Prasad Singh Son of Late Rajeshwar Singh.
21. Sona Devi Wife of Janki Yadav.
22. Prayag Singh Son of Late Deo Narayan Singh.
23. Suraj Singh Son of Late Karu Singh and others also Later on may be given.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binoy Kumar Sinha-1, Advocate

For the Respondent/s : Mr. Prabhat Kumar Verma-AAG-3

Mr. S. K. Sharma, AC to AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-07-2017

Inter alia contending that the land belonging to Sri Sri 108 Shankar Parvati WO Ganesh Jee Maharaj Mandir Temple situated in village Sahni, P.S. Magadh University, Bodh Gaya, District-Gaya is being encroached by respondents 12 to 23 and no action is being taken by the competent authority, this writ petition has been filed in public interest.

In case, there is encroachment on Government land, petitioner has statutory remedy of invoking jurisdiction of the competent authority under the Bihar Public Land Encroachment Act and respondent No.11 is the statutory authority empowered under the said Act to take action for removal of encroachment. That being so, granting liberty to the petitioner to approach respondent No.11 to take action in accordance with law for removal of encroachment in case any grievance is made out by the petitioner within a reasonable period,



preferably within a period of six weeks, we dispose of the matter.

Needless to say that we have not expressed any opinion on the merit of the matter and respondent No.11 shall proceed to decide the issue in accordance with law after hearing all concerned.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.07.2017
Transmission Date	

