

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19009 of 2016

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Prabhu Nath Mishra son of Late Ramashish Mishra Resident of village - Maharani,
P.S. Pipara, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Land Reforms Department,
Govt. of Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The Land Reforms Officer, Chakiya, East Champaran.
4. The Sub-Divisional Officer, Chakiya, East Champaran.
5. The Circle Officer, Chakiya, Motihari, East Champaran.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate.
Mr. Sanjiv Kumar, Advocate.

For the Respondent/s : Mr. Ajay,GA-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-04-2017

In this petition filed in Public Interest, it is alleged that in
Motihari, East Champaran, in public land bearing Khata No. 68,
Khesara No. 292, Tauzi No. 428, which is a road, there is
encroachment by certain private individuals and as the encroachment
is not being removed, this application has been filed seeking removal
of the encroachment.

It is stated that the complaints and representations have
been made to the District Magistrate, East Champaran, Motihari
(respondent no.2) and the Circle Officer, Chakiya, Motihari, East



Champaran (respondent no.5) and in spite of representations, they have not taken any action.

Keeping in view the aforesaid grievance of the petitioner, for the present, without entering into the controversy on merit, it is directed that petitioner may file a certified copy along with relevant documents, respondent no.5 shall take up the matter in accordance with provision of Bihar Public Land Encroachment Act, register a case under the said act, issue notice to the encroacher and after completing the due process of law, if the encroachment is found to be existing, direct for its removal, in accordance with law, within a period of six months, from the date of receipt of certified copy of this order.

Accordingly, this petition is disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Amit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04-05-2017
Transmission Date	NA

