

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9436 of 2015

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Rup Narayan Jha S/o Late Govind Jha, Resident of village Khutauna, P.S.
Benipatti, Distt. Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector cum District Magistrate, Madhubani.
3. The Office -in-charge, District Revenue Cell, Madhubani
4. The District Development Commissioner, Madhubani.
5. The Sub- Divisional Officer, Benipatti, Madhubani.
6. The Circle Officer, Benipatti, Madhubani.
7. The BDO, Benipatti, Distt. Madhubani.
8. The S.H.O. Benipatti, Madhubani.
9. Sri Dhairya Kant Jha S/o Bhavesh Jha Resident of vill- Salha Gram
Panchayat Raj, Khatauna , Benipatti, Distt. Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Ms. Kumari Rashmi, Advocate
Mr. Suresh Pd. Singh No. 1, Advocate
For the State : Ms. Shilpa Singh, GA-12
Mr. Sunil Kumar, AC to GA-12

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

9 29-06-2017 Inter alia, contending that an order passed by the

District Development Commissioner, Madhubani, as contained in

letter No. 1302 dated 15.7.2014, the matter for construction of

playground over the Government land bearing Khata Khata No.

295, Khesra No. 2017, total area of 6 Kathas and 6 Dhurs situated

in village Budhra Khutauna under Gram Panchayat Raj Salha

under Benipatti Block is not being taken up properly and



encroachments made by the private respondent are not being removed and illegal activities are permitted, this petition has been filed in public interest.

In Para-6 of the counter affidavit filed by the respondents it is indicated that the encroachments have been removed and the construction activities are in progress and in the document, Annexure-R2/A the petitioner has also signed.

Keeping in view the detailed counter affidavit filed by the respondents, we are not inclined to interfere in the matter. In case the dispute is still subsisting with regard to the encroachment in question, the petitioner may take recourse to statutory remedy under the Bihar Public Land Encroachment Act.

With the aforesaid observation, finding no ground for interference in the matter, the petition is disposed of.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

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