

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8585 of 2017

=====

Ramesh Rai Son of Late Ram Swarup Rai Resident of Village-Baburbani
(Badurahi). P.S.-Sonepur, District-Saran.

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary Govt. of Bihar.Patna
2. The Principal Secretary, Rural Development Society, Rural Development
Department, Govt. of Bihar, Patna
3. Commissioner, Saran at Chapra.
4. District Magistrate Saran.
5. Superintendent of Police, Saran.
6. District Programme Officer, Saran.
7. S.D.O. Sonepur, Saran.
8. B.D.O. Sonepur, Saran
9. Circle Officer, Sonepur, Saran

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra

For the Respondent/s : Mr. VINAY KIRTI SINGH-GA2

=====

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 there is encroachment
over the land in the District in question and seeking removal of the
encroachment, this petition has been filed in public interest under
Article 226 of the Constitution of India.

Considering the fact that for removal of the
encroachment in a public land statutory remedy is available to the
petitioner under the Bihar Public Land Encroachment Act, we are not



inclined to interfere into the matter in public interest litigation. The petitioner may file certified copy of the order along with appropriate application before respondent No. 8, the statutory authority empowered to remove the encroachment from the government land. On the same being done, respondent No. 8 shall proceed to decide the issue, in accordance with law after hearing all concerned, within a period of six months.

With the aforesaid, the application stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01/08/2017
Transmission Date	NA

