

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21322 of 2014

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Bikrama Chaudhary, S/o Late Rajdeo Chaudhary, R/o Vill. Nagad Poeyan,
P.O.- Chhitauna, P.S.- Kateya, Distt. Gopalganj (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate Gopalganj.
2. The Additional Collector, Gopalganj.
3. The Land Reforms Deputy Collector (L.R.D.C.) Gopalganj.
4. The Circle Officer, Panchdeori, Under District- Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Singh, Advocate

For the Respondent/s : Mr. Tripurari Nath Ambastha, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-09-2017

Heard Mr. Dhananjay Kumar Singh, learned counsel for the petitioner and Mr. Tripurari Nath Ambastha, learned AC to SC-26 for the respondents.

The present Writ application has been filed claiming compensation of Rs.1,00,000/- (One Lakh) since respondent no. 4, the Circle Officer, Panchdeori deliberately demolished the house of the petitioner situated on the land appertaining to Khata No. 80, Plot No. 171 situated in Mauza – Nagad Poeyan, District – Gopalganj.

It appears that the petitioner earlier came before this Court in C.W.J.C. No. 12098 of 2010. The same was disposed of vide order dated 17.06.2013 by a Bench of this Court,



whereby it was observed that the petitioner is also one of the encroachers and the Circle Officer, Panchdeori was directed to expedite the encroachment proceeding and to take the proceeding to its logical end and to remove the encroachment from the land in question after the findings emerge from adjudication, within a reasonable time frame.

It is submitted by learned counsel for the Respondent-State that the final order has been passed in encroachment proceeding, however, encroachment case number has not been mentioned in the Writ application. Hence, the petitioner has alternative remedy for appeal against the final order passed in the encroachment case.

In the circumstances, this Writ application is disposed of with liberty to the petitioner to avail the alternative remedy of appeal before the appropriate forum.

(Dinesh Kumar Singh, J)

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