

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11616 of 2015

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Pundeo Rai son of Late Saheb Rai resident of village- Bishunpurwa, P.S.- Darpa,
District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Panchayat Raj Department Bihar, Patna
3. The District Collector, Motihari East Champaran
4. The Sub Divisional Officer (S.D.O.), Raxaul, East Champaran
5. The Circle Officer, Chauradano, East Champaran
6. The Mukhiya Gram Panchayat Raj Rampur, Block Chauradano, District- East Champaran
7. The Panchayat Secretary Gram Panchayat Raj Rampur, Block Chauradano, District- East Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Respondent/s : Mr. Utsav Kumar, AC to GA 4

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 27-01-2017

Heard learned counsel for the petitioner and the State.

Grievance of the petitioner is that some of the villagers have encroached the public road due to which petitioner's ingress and egress has been obstructed.

A counter affidavit has been filed on behalf of the respondent no. 2. In pith and substance the stand of the respondents is that the matter is related to Department of Revenue and Land Reforms, Government of Bihar, Patna and the Circle Officer is the Collector under the Act to take decision in the matter of removal of



encroachment.

Accordingly, this writ application is being disposed of with a liberty to the petitioner to approach afresh before the respondent no. 5, the Circle Officer, Chauradano, East Champaran by filing a detailed representation / application under the Bihar Public Land Encroachment Act, 1956 for removal of encroachment from public land. The description of land should be provided by him in the petition. Thereafter, let the respondent no. 5 examine the issue and, if it is found that there is encroachment on some public road and land then immediately step for removal of the same should be taken by him on its own merit and in accordance with law but not before granting reasonable opportunity to the alleged encroachers. It is expected that the entire exercise would be completed by him within the period of four months from the date of filing of the application/representation along with a copy of this order.

(Dr. Ravi Ranjan, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
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