

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20304 of 2016

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1. Rahul Singh son of late Baij Nath Prasad resident of mohalla Jangii Prasad Lane, P.S. Chowk, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Tourism, Govt. of Bihar, Patna.
3. The Principal Secretary, Urban Development and Land Reforms, Govt. of Bihar, Patna.
4. The Commissioner, Patna Division, Patna.
5. The District Magistrate, Patna.
6. The Commissioner, Patna Municipal Corporation, Patna.
7. The Sub-Divisional Officer, Patna City.
8. The S.H.O., Chowk, Patna City.

.... Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Lalit Kishore(PAAG-1)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 27-07-2017

Heard learned counsel for the parties.

Petitioner has filed this petition inter alia contending that certain private persons have encroached upon Government lands. The encroachers who are said to be the encroachers, have filed their counter affidavit claiming that it is their land. They have even purchased the land from the petitioner.

Looking to the nature of dispute between the petitioner



and the interveners, no interference or indulgence is required to be taken in the matter exercising our extra ordinary jurisdiction in a petition under Article 226 of the Constitution.

In case the petitioner has any grievance, he may take recourse to the statutory remedy available or the common law remedy of filing a civil suit, seeking injunction or a declaration or seeking remedy under the Bihar Removal of Encroachment Act.

With the aforesaid this application is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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