

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13158 of 2018

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1. Dharmatma Tiwari, Son of Late Rajnandan Tiwari @ Late Rajeenan Tiwari,
 2. Rama Shanakar Tiwari, Son of Late Dudhnath Tiwari.
 3. Bhim Tiwari, Son of Late Ganga Tiwari.
 4. Ram Chandra Tiwari, Son of Bhim Tiwari.
 5. Ramji Tiwari, Son of Bhim Tiwari,
 6. Arjun Tiwari, Son of Late Ganga Tiwari,
 7. Chhotu Tiwari, Son of Bhim Tiwari.
 8. Ravindra Tiwari, Son of Late Vishwanath Tiwari.
 9. Paras Nath Tiwari @ Paras Tiwari, Son of Late Vishwanath Tiwari.
 10. Chanu Chaudhary @ Chunnu Chaudhary, Son of Late Nathuni Chaudhary.
 11. Nagu Chaudhary, Son of Late Nathuni Chaudhary.
 12. Chhoti Lal Yadav, Son of Late Dhorha Yadav,
 13. Saryug Yadav, Son of Late Dhorha Yadav, All are resident of Village + P.O.- Thakrahan, Ward No. 11, Police Station- Thakrahan in the District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms Government of Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate- cum-Collector, West Champaran at Bettiah.
5. The Sub-Divisional Officer, Bagaha, West Champaran.
6. The Circle Officer, Thakrahan in the District of West Champaran.
7. The Land Reforms Deputy Collector, Bagaha in the District of West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Navin Sharma, Advocate
For the Respondent/s	:	Mr. Md. Fakkruddin Ali Ahmad, AC to A.A.G.-12
For the Bettiah Raj	:	Mr. Shailendra Kumar Singh, Advocate
		Mr. Raj Kishore Ray, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 12-09-2018

What is challenged in the present writ petition is the



impugned notices under Section 6 of the Bihar Public Land Encroachment Act, 1956 (“the Act” for brevity), by which the petitioners are directed to remove the encroachment.

It is not in dispute and it cannot be disputed that against the impugned notices, there is statutory remedy of appeal provided before the First Appellate Authority as per Section 11 of the Act. Therefore, we are not inclined to entertain the present petition on the ground that the petitioners would have statutory remedy of appeal available against the impugned notices.

On the aforesaid ground, the present petition stands dismissed.

(Mukesh R. Shah, CJ)

(Ashutosh Kumar, J)

skm/-

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