

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.425 of 2018

In
Civil Writ Jurisdiction Case No.20092 of 2013

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1. Kanhaiya Thakur son of Rudal Thakur
 2. Deena Nath Thakur son of Late Manager Thakur
 3. Yogendra Thakur, son of Late Manager Thakur
 4. Om Prakash Thakur son of Late Manager Thakur
 5. Chhotu Thakur son of Late Manager Thakur
 6. Sudina Thakur son of Late Manager Thakur
 7. Ram Bilash Thakur son of Mahanth Thakur
 8. Rameshwar Thakur son of Mahanth Thakur
 9. Santosh Thakur son of Ram Bilash Thakur

All resident of Village Mohammadpur Pandey Tola, P.O. Tekanwal, P.S.
Mohammadpur, District- Gopalganj

... .. Appellant/s

Versus

1. The State Of Bihar through the District Magistrate, Gopalganj
2. The Sub-Divisional Officer, Gopalganj
3. The Block Development Officer, Sidhwalia, District Gopalganj
4. The Circle Officer, Sidhwalia, District Gopalganj

.... Respondent/Respondents

5. Prabhu Nath Prasad son of Lalan Prasad, Resident of Village
Mohammadpur Pandey Tola, P.S. Mohammadpur, District- Gopalganj

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Naresh Prasad, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam- AAG 12

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-06-2018

Seeking exception to an order dated 20.4.2017 passed by
the learned Writ Court in C.W.J.C. No. 20092 of 2013, this appeal
has been filed under Clause 10 of the Letters Patent.



The learned writ court has directed the Circle Officer to proceed in accordance with law for removal of the encroachment under the Bihar Public Land Encroachment Act and when the encroachment proceedings are initiated, petitioners would be noticed and they can raise all the objections in the encroachment case and, therefore, at this stage, indulgence into the matter is not called for.

The appeal stands dismissed granting liberty to the appellant to raise all the objections before the competent/statutory authority under the Encroachment Act.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

AFR/NAFR	NAFR
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