

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15494 of 2017

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Smt. Pushpa Devi Banka Wife of late Banwari Banka Resident of Mohalla-Satti, Chaura Mandir, Bahari Begampur, P.S. Bye-Pass, Patna city- 800009, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Revenue & Land Reforms Department, Government of Bihar, Patna.
3. The Collector, Patna Collectorate, Patna.
4. The Circle Officer, Patna Sadar, Patna.
5. The Engineer-in-Chief, Road Construction Department, Bihar, Patna
6. The Executive Engineer Road Construction Department, Gulzarbagh (Patna City), Bihar, Patna.
7. The Chief Engineer, Road Construction Department, Visheshawariya Bhavan (Technical Secretariat), Bailey Road, Patna.
8. The Land Acquisition Officer, Patna, District- Patna.
9. The Senior Superintendent of Police, Patna.
10. The Station House Officer, Bye-Pass Thana, Patna.
11. Raj Kumar Bind, Son of Banshi Bind, Resident of Begumpur, Sidhe Bazar, P.S. Byepass, Patna- 800009, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Prasad, Advocate
		Mr. Ajit Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Md. Khurshid Alam -AAG12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 14-03-2018

This Public Interest Litigation has been filed inter alia contending that land bearing Khata No. 746, Plot No. 3700 is a Gairmajarua land and it has been encroached by Respondent No. 10 in an illegal manner. Seeking removal of the encroachment, the writ petition has been filed in public interest and on notice being issued counter affidavit has been filed by



Respondent No. 4 Executive Engineer and in Paragraph 9 of the counter affidavit he admits the fact about the land being Gairmajarua Aam land and prays that necessary directions be issued to the competent authority for removal of encroachment.

Keeping in view the aforesaid grievance of the petitioner, we direct that on the petitioner filing a certified copy of this order along with relevant documents, the Circle Officer, Patna Sadar, Respondent No. 4 shall register the same as an Encroachment Case under the Bihar Public Land Encroachment Act, issue notice to the encroachers, hear them and thereafter remove the encroachment in accordance with law after following the due process of law within a period of six months from the date of receipt of a copy of this order.

With the aforesaid, this writ petition stands disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	17.03.2018
Transmission Date	

