

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.874 of 2018**

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Avinash Kumar Singh, Son of Late Shatrudhan Singh, Resident of Village-  
Ami (Chauhani Pati), P.S.-Dighwara, District-Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Saran Division, Chapra.
3. The District Magistrate, Saran at Chapra.
4. The Superintendent of Police, Saran, Chapra.
5. The Sub-Divisional Officer, Sonapur, Saran, Chapra.
6. The Circle Officer, Dighwara, Saran, Chapra.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Singh, Advocate  
For the Respondent/s : Mr. Anil Kr. Sinha- GA1

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      20-06-2018                      In this public interest litigation, allegations made are with regard to removal of encroachment from a land belonging to temple owned by the trust. If the land belonging to the trust has been encroached, it is for the trust to take steps for removal of encroachment and if it is a public trust, the District Magistrate to look into the matter and remove the encroachment from the area in question. It is not appropriate for this Court in a public interest litigation exercising extra ordinary jurisdiction to go into such issue.

Granting liberty to the petitioner to approach the District Magistrate or the authorities of the Trust to ensure



removal of encroachment and directing the authorities to proceed in accordance with law in case there is an encroachment for its removal, the matter stands disposed of.

**(Rajendra Menon, CJ)**

**( Rajeev Ranjan Prasad, J)**

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