

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2157 of 2018

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Shankar Prasad Sah, Son of Late Jageshwar Prasad Sah, Resident of Ward No. 20 , Goushala Road Naugachia, P.S. Naugachia, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. Principal Secretary, Revenue and Land Reforms Government of Bihar, Patna.
3. Commissioner, Bhagalpur Division, Bhagalpur, Bihar.
4. District Magistrate -cum -Collector, Bhagalpur District Bhagalpur, Bihar.
5. S.D.O., Naugachia, District Bhagalpur, Bihar.
6. Deputy Collector Land and Revenue, Naugachia, District- Bhagalpur, Bihar.
7. Circle Officer, Naugachia, District- Bhagalpur, Bihar.
8. Sanjeev Kumar Singh, Son of Sri Narendra Singh, R/o At and P.O. Tetri, P.S. Naugachia, District- Bhagalpur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Thakur, Adv.
For the Respondent/s : Mr. Sajid Salim Khan -SC-25

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 19-06-2018

Heard learned counsel for the petitioner and the Respondent -State.

The present writ application has been filed for a direction to the Respondent authorities to get the encroachment removed from the land appertaining to Khata No.956, Plot No.2501, Khata No.505, Plot No.2497, situated at Ward No.2, Gausala Road, Naugachhia, P.S.-Naugachhia, District- Bhagalpur, as the same has been encroached upon by Respondent no.7.

It is submitted by learned counsel for the petitioner



that the land in question is a partition land of the petitioner, but the same has been encroached upon by the private Respondent no.8 and despite of making several efforts before the Respondent authorities, encroachment has not been removed from the land in question.

It is submitted by learned SC-25 that the issue relates to dispute between the petitioner and Respondent no.8 with regard to a raiyati land. Since the land is not a public land, the issue cannot be resolved through the present proceeding.

This Court finds substance in the submissions made by learned SC-25.

Hence, without expressing any opinion with regard to the merits of the case, as it requires leading of evidence, the present writ application is disposed of with a liberty to the petitioner to take recourse before the appropriate forum for redressal of his grievance.

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

