

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16530 of 2018

1. Baban Mali son of Niladhar Mali,
2. Jitendra Mali son of Baban Mali
3. Nagendra Mali son of Baban Mali
All Residents of Village- Thakraha, P.S. Thakraha, District- West Champaran. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate-cum- Collector, at Bettiah, District West Champaran.
3. The Superintendent of Police, District- West Champaran.
4. The Sub- Divisional Officer, Bagaha, District- West Champaran.
5. The Circle Officer, Thakrahan, District- West Champaran.
6. The S.H.O. Baghan, Police Station Thakrahan, District- West Champaran. Respondent/s

with

Civil Writ Jurisdiction Case No. 16301 of 2018

1. Chhedi Mali son of Late Nathuni Mali
2. Govind Mali son of Chhedi Mali
3. Jitendra Mali son of Chhedi Mali
4. Ishwar Mali son of Chhedi Mali
All residents of Village - Thakraha, P.S. Thakraha, District - West Champaran. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, West Champaran at Bettiah.
3. The Superintendent of Police, District - West Champaran at Bettiah.
4. The Sub-Divisional Officer, Bagaha, District - West Champaran.
5. The Circle Officer, Thakrahan, District - West Champaran.
6. The S.H.O. Thakrahan, Bagahan, Police Station Thakrahan, District - West Champaran. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 16530 of 2018)

For the Petitioner/s : Mr. Suresh Prasad Sharma, Advocate
For the State : Mr. Fakhruddin Ali Ahmad, AC to AAG 12
For the Bettiah Raj : M/s Naresh Dikshit
Kalpana, Advocates

(In Civil Writ Jurisdiction Case No. 16301 of 2018)

For the Petitioner/s : Mr. Suresh Prasad Sharma, Advocate
For the State : Mr. Md. Khurshid Alam- AAG 12
For the Bettiah Raj : M/s Naresh Dikshit
Kalpana, Advocates

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT



(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 29-08-2018

What is challenged in the present petitions is the order passed by the Circle Officer, Thakraham, passed under Section 3 as well as final notice under Section 6 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act”).

It is not in dispute and it cannot be disputed that against the impugned notices/ orders, 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 petitions on the ground that the petitioners would have statutory remedy of appeal available against the impugned orders.

On the aforesaid ground alone, the present petitions stand dismissed.

(Mukesh R. Shah, CJ)

(Dr. Ravi Ranjan, J)

Sanjay/-Spd

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.08.2018
Transmission Date	NA

