

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10948 of 2017

Subhash Saw S/o Banjari Saw, Resident of Village- Mayapur, P.S.- Daud Nagar, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Aurangabad, District Aurangabad.
3. The Deputy Collector, Land Reforms, Daudnagar, Aurangabad.
4. The Circle Officer, Daudnagar, Aurangabad.
5. Saudagar Yadav, S/o Late Ramdeo Yadav, Resident of Village- Mayapur, P.S.- Daudnagar, District- Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sushil Kumar Jha Mr. Gajendra Kumar Jha
For the Respondent/s	:	Mr.Sajid Salim Khan, SC-25 Ms. Prakritita Sharma, AC to SC-25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-09-2019 The petitioner complains of encroachment having been made over the public land in question.

If that be so, it is for the petitioner to approach the Circle Officer, concerned, under the provision of the Bihar Public Land Encroachment Act, 1956 and not the High Court.

At this stage, the learned counsel for the petitioner seeks liberty to approach the Circle Officer, Daudnagar, District- Aurangabad for removal of the encroachment in question, regarding which it has been submitted that the petitioner had earlier moved this Court by filing a writ petition bearing CWJC No. 15289 of 2015 and this Court by an order dated 20.01.2017



had disposed off the writ petition as having become infructuous on account of the said encroachment having been removed by the State respondents, however, encroachers have again encroached upon the said public land.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed off with a direction to the Circle Officer, Daudnagar, Aurangabad to consider the complaint of the petitioner, if so filed, by taking appropriate action under the provisions of the Bihar Public Land Encroachment Act, 1956 expeditiously and ensure removal of the encroachment over the public land, if any.

(Mohit Kumar Shah, J)

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