

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2046 of 2019

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Santosh Chandra Das @ Santosh Das S/o- Late Naresh Chandra Das @
Naresh Das Resident of Village- Chandi Khathwa, P.S. Sadar, District-
Purnea.

... .. Petitioner

Versus

1. The State Of Bihar through District Magistrate, Purnea.
2. The District Magistrate, Purnea.
3. The Circle Officer, Purnea East, Purnea.
4. Shambhu Das S/o- Late Priyanath Das Resident of Village- Chandi Kathwa,
P.S. Sadar, District- Purnea.
5. Kala Das S/o- Late Priyanath Das Resident of Village- Chandi Kathwa, P.S.
Sadar, District- Purnea.
6. Mahadev Das S/o Late Priyanath Das Resident of Village- Chandi Kathwa,
P.S. Sadar, District- Purnea.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 05-02-2019 Following is the relief, which the petitioner is
seeking :-

“(i) For issuance of writ in the nature of the
mandamus commanding the respondents to remove the
encroachment from the private land of the petitioner
bearing Khata No.320, Khesra No.4071, 4072 Total Area 8
½ dec. out of which 4 dec. encroachment by the respondent
No.4 to 6 and Khata No.166 Khesra No. 4073, 4074, 4075,
4076 Total Area 25 dec. out of which 555.75Sq Feet’s
encroached by respondent No. 4 to 6. The encroachment
was found in measurement of land by Circle Amin and
report is annexed as Annexure-1.

(ii) For passing any other relief/s, direction/s or
command/s which your lordship may deem fit and proper
in the facts and circumstances of the case.”



In a proceeding under Article 226 of the Constitution of India, the relief, which the petitioner is seeking, need not be entertained since the petitioner has effective alternative statutory remedy under the Bihar Land Disputes Resolution Act, 2009/Bihar Right to Public Grievance Redressal Act, 2015, which the petitioner may avail.

This application is thus dismissed with the liberty to approach the competent authority in accordance with law.

(Chakradhari Sharan Singh, J)

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