

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2119 of 2019**

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Chandra Shekhar Ray Son of Late Jagdev Ray Resident of Village and P.O.  
Kabirpur, P.S. Mairwa District-Siwan

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary Revenue Department ,  
Government of Bihar, New Secretariat Building, Patna
2. The District Magistrate, Siwan
3. The Additional District Magistrate, Siwan
4. The Sub- Division Magistrate, Siwan
5. The Circle officer,Block Mairwa, District- Siwan
6. Raj Kumar Sah late Kanchan Sah Resident of Village and post Kabirpur,  
Mairwa , District Siwan

... .. Respondent/s

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**Appearance :**

For the Petitioner : Mr. Vijay Bardhan Pandey, Advocate  
For the Respondents : Mr. Md. Khurshid Alam, AAG-12

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      05-02-2019                      Heard the parties.

In the present writ application, the following reliefs  
have been sought for on behalf of the petitioner :

1(i) To remove encroachment from public  
land which are being using as Chhath Puja Ghat  
and Pond situated in Khata No.614, Survey  
No.4547 and 4554 in Kabeerpur Mauza by local  
villagers whereby and whereunder the nature of  
land in Gair Mazarua Aam land and same has  
been encroached by private Respondent No.6  
and constructing boundary wall and home on  
Gair Mazarua Aam land.

(ii) To direct the respondent authorities to  
restrain from construction of boundary wall and



home at Gair Mazarua Aam land situated in Kabeerpur Mauza and the said land is being using for Chhath Puja Ghat by local people.

Considering the reliefs sought for in the present writ application, the petitioner is directed to file a representation before the Respondent No.5 i.e. The Circle Officer, Block Mairwa, District Siwan within a period of one month from today. The Respondent No.5 i.e. The Circle Officer, Block Mairwa, District Siwan shall consider the case/representation of the petitioner and after giving opportunity to all the concerned parties shall pass an appropriate order in accordance with law. Before passing a final order under Section 6(1) of the Bihar Public Land Encroachment Act, the respondents will be obliged to comply with Sections 3, 4 and 5 of the Act.

With the aforesaid observation and direction, the present writ application stands disposed of.

**(Sudhir Singh, J)**

Narendra/-

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