

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4875 of 2019

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Jai Mangal Mahto son of Jogi Mahto Resident of Village- Jagapakar Tola, P.S.
Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors Bihar.
2. District Magistrate cum Collector East Champaran at Motihari.
3. Sub Divisional Officer Areraj, District- East Champaran.
4. Deputy Collector Land Reforms Areraj, District- East Champaran.
5. Anchal Adhikari, Harsidhi Anchal District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Naresh Chandra Verma, Adv. Mr. Lakshmi Kant Tiwari, Adv.
For the Respondent/s	:	Mr. W.A. Khan, AC to SC-25

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 11-04-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The grievance of the petitioner is inaction on the part of the State authority in removing the encroachment on public road. The Bihar Public Land Encroachment Act defines public land and provisions are available under the Public Land Encroachment Act for removal of the encroachment of public land.

Learned counsel for the petitioner submits that he has already filed Encroachment Case No. 5 of 2018-19 for removal of encroachment but the encroachment has not been removed



from public road. The competent authorities under this act is required to pass appropriate order after hearing all the persons likely to be adversely affected. The authorities under the Act are required to consider the objection of all necessary parties and pass appropriate order.

Accordingly, the present application is disposed of with direction to the Anchal Adhikari, Harsidhi to expedite the hearing of Encroachment Case No. 5 of 2018-19 and pass appropriate order in accordance with law.

With the aforesaid, the present writ application stands dispose of.

(Anil Kumar Upadhyay, J)

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