

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2705 of 2019

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Shankar Upadhyay Son of Bageshwari Upadhyay resident of Village- Telhara,
P.O. and P.S. Amba, Block Kutumba, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department,
Government of Bihar, Patna.
3. The District Magistrate, Aurangabad District- Aurangabad.
4. The Sub- Divisional Officer, Sadar Aurangabad, District- Aurangabad.
5. The Circle Officer, Kutumba, District- Aurangabad.
6. The Secretary, Mauza- Telhara, Tola- Udayganj, P.O. and P.S. Amba, Block
Kutumba, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh
For the Respondent/s : Mr. Rishi Raj Sinha (SC-19)

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

ORAL ORDER

2 13-02-2019 Following is the relief, which the petitioner is
seeking:-

“(I) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent Authorities particularly the Respondent no. 5 to make measurement of the land bearing Khata No. 83, Plot No. 1226, measuring an area 67 ½ decimals situated in village-Telhara, Tola-Udayganj, P.O. Amba, District-Aurangabad and after making measurement to put the mark of demarcation by fixing pillar upon the boundary of land of the petitioner.



(II) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent Authorities to remove the encroachment over the aforesaid raiyati land of the petitioner from the illegal encroachment made by the Members of Kabristan and put his possession.”

The petitioner has a remedy of making an application under Section 4 of the Bihar Land Disputes Resolution Act, 2009, which he may avail. It is also indicated that the petitioner has a remedy of appeal also under the said provision.

This application stands disposed of with the observation, as above.

(Chakradhari Sharan Singh, J)

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