

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3107 of 2019

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Jag Sah S/o- Gopal Sah Resident of village- Harapur Godhawa, P.S.-
Majhaulia District West Champaran West Champaran

... .. Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The District Magistrate West Champaran at Bettiah
3. The Sub- Divisional Officer, Bettiah, District West Champaran West Champaran
4. The Circle Officer Majhaulia P.S.- Majhaulia, District- West Champaran, Bihar
5. The Superintendent of Police (S.P.) Bettiah, District-West Champaran.
6. The Officer-in-charge, Majhaulia Police Station, District-West Champaran.
7. Sheikh Majrul Haque Son of late Raja Hussain, Resident of village-Godhawa Haspur, P.S. Majhaulia, District-West Champaran.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary
For the Respondent/s : Mr. Raj Kishore Roy (GP18)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 22-02-2019 Heard learned counsel for the petitioner and the State.

This is an application for issuance of an appropriate writ/writs, order/orders, direction/directions commanding the Respondents to grant the following reliefs to the petitioner.

(I) The respondent to be directed to initiate an enquiry and to start an encroachment case against the encroacher (the respondent No. 7) of the public land bearing Khata No. 817 Khesera No. 1673 and area measured 0.4 decimal. The public land which is the Aam Rasta (Road) of the village and the road



used by the petitioner and his family members along with the other co-villagers.

(ii) The respondent to be directed to get the encroachment removed when such decision is the outcome of the encroachment proceeding against the encroachers.

(iii) The respondent to be directed to the Respondent to see that during pendency of the encroachment case further construction not to be made on the disputed plot.

(iv) The respondent to be directed to the Respondent that during course of enquiry or during pendency of the encroachment case, the petitioner and other co-villagers had right to pass through the Rasta on the disputed land including the right to ingress and egress is not affected”.

It has been submitted that the petitioner has filed a representation/complaint vide Annexure-3 to the writ application before the Circle Officer, Majhulia, District-West Champaran (respondent No. 4) but no action has been taken by the respondent No. 4 till date.

The Circle Officer, Majhulia, District-West Champaran (respondent No. 4) is directed to consider the representation/complaint filed by the petitioner and pass an appropriate order in accordance with law after hearing all the



concerned parties within a period of four months from the date of receipt/production of copy of this order.

With the aforesaid observation/direction, this writ application stands disposed of.

(Sudhir Singh, J)

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