

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4674 of 2019

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Bimlendu Kumar Singh, Male age about 40 years, Treasurer, Ram Sevak Seva Sansthan, N.G.O., Son of Dinesh Prasad Singh Resident of Village-Chamarhara, P.O. Mahnar Road, (R.S.) P.S. Mahnar, District-Vaishali

... .. Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Samastipur, District Samastipur
3. The Su Divisional Officer, Sub Division, Patory, District-Samastipur
4. The Land Reforms Deputy Collector, Patory Sub Division, District Samastipur
5. The Circle Officer, Circle Patory, District Samastipur

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Verma
For the Respondent/s : Mr. Parth Sarthy (Ga4)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

2 11-03-2019 Heard the parties.

The petitioner complains of encroachment on a public road under Panchayat Raj Sirdalpur, Supaul, Ward No.13, and Panchayat Raj Hasanpur Surat, Ward No.7, falling under Circle Office Patory, in the District of Samastipur by a number of local villagers, who have constructed their house thereon.

Learned counsel for the petitioner refers to a public petition filed before the Circle Officer, Patory in this regard but in our opinion that does not satisfy the statutory requirements



underlying the Bihar Public Land Encroachment Act (hereinafter referred to as 'the Act') as well as procedure provided thereunder.

In such circumstances, while granting leave to the petitioner to file an appropriate application before the Circle Officer, Patna under section 3 of 'the Act' by arraigning the alleged encroachers as party, we would direct the Circle Officer, Patna to consider and dispose of the same in accordance with law with due opportunity of hearing to the petitioner as well as alleged encroachers which disposal be done preferably within six months from filing of such complaint.

This disposes of the writ petition.

(Jyoti Saran, J)

(Arvind Srivastava, J)

Surendra/-

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