

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4864 of 2019

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Balistar Mishra, Son of Sajawal Mishra, resident of Ward No. 06, Mahanagani Tola Mirjapur, P.S.- Bettiah (Muffasil), District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Old Secretariat, Bihar, Patna.
2. The Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
3. The District Magistrate, West Champaran, Bettiah.
4. The Sub-Divisional Officer, Bettiah, West Champaran.
5. The Circle Officer, Majholiya, District- West Champaran, Bettiah.
6. Madan Mohan Sah, Son of Late Sukhari Sah, resident of Mahagani Tola Mirjapur, P.S.- Bettiah (Mufassil), District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Mr.Md. Khursid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioner and the State.

This writ application has been filed by the petitioner for quashing the order dated 20-09-2018, passed by the Anchaladhikari, Majholiya, District-West Champaran, in Abhilekh (Encroachment) Case No. 26/2017-18, whereby and whereunder the Anchaladhikari, Majholiya, issued notice to the petitioner to remove the alleged encroachment from Khata No. 428, Khesera No. 709 and 724 pertaining to Mauza-Mahagani, Anchal, Majholiya. It has also been prayed for issuance of writ of mandamus or any appropriate writ, order, orders, direction



commanding the respondents not to interfere with the peaceful possession of the land in question.

The petitioner claims that the land, in question was settled in favour of the maternal grandmother/grandfather of the petitioner by Bettiah Estate as back as in the year, 1937 and since then, they have been coming in possession over the land in question.

The petitioner is directed to file an appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956 within a period of 30 days from today. The appellate authority shall consider the case of the petitioner and pass an appropriate order in accordance with law within a period of four months from the date of filing of such appeal.

During pendency of the appeal, status quo be maintained.

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

(Sudhir Singh, J)

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