

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24362 of 2018

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1. Jitu Prasad son of Late Harinandan Prasad, resident of Bahari Begumpur, Beldari Tola, P.O.- Begumpur, Police Station Bypass, District- Patna
 2. Pintu Kumar, son of Late Rajaram Prasad, resident of Bahari Begumpur, Beldari Tola, P.O.- Begumpur, Police Station Bypass, District- Patna
 3. Sintu Kumar, son of Late Rajaram Prasad, resident of Bahari Begumpur, Beldari Tola, P.O.- Begumpur, Police Station Bypass, District- Patna
 4. Mahesh Prasad, son of Late Harinandan Prasad, resident of Bahari Begumpur, Beldari Tola, P.O.- Begumpur, Police Station Bypass, District- Patna
 5. Dinanath Kumar, son of Mahesh Prasad, resident of Bahari Begumpur, Beldari Tola, P.O.- Begumpur, Police Station Bypass, District- Patna
 6. Ranjan Shekhar, son of Late Mahendra Prasad, resident of Bahari Begumpur, Beldari Tola, P.O.- Begumpur, Police Station Bypass, District- Patna
 7. Mantu Kumar, son of Late Rajaram Prasad, resident of Bahari Begumpur, Beldari Tola, P.O.- Begumpur, Police Station Bypass, District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Revenue & Land Reforms Department, Government of Bihar, Patna
3. The District Magistrate, Patna
4. The Sub Divisional Officer, Patna City, Patna
5. The Circle Officer, Patna Sadar, Patna
6. The Executive Engineer, Road Construction Department, Gulzarbagh, Patna City, Patna 800 008
7. The Chief Engineer, Road Construction Department, Vishwasaraiya Bhawan, Bailey Road, Patna
8. The Thana-in-charge, Bypass Thana, Patna'
9. Pramod Jamuar
10. Ranjan Jamuar, both son of Late Jai Krishna Lal Jamuar, resident of Mohalla Kankarbagh, Kayastha Colony, Police Station Kadamkuan, District- Patna - 20

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajay Prasad
For the Respondent/s : Mr.Md.Khurshid Alam -AAG 12

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 19-02-2019



The petitioner alleges encroachment by the private respondents and relies upon the recommendation of the Circle Officer, Patna Sadar enclosed at Annexure-10 to submit that encroachment is being caused over a plot of land bearing Khata No. 231, Khesra No. 1 ad-measuring 2.52 decimals in Mouza Dhawalpura in the district of Patna.

The Circle Officer by the letter relied upon by Mr. Alok Kumar Choudhary, learned counsel appearing for the petitioner, seeks administrative and police support for removing the encroachment.

We are not aware as to whether any proceeding has been drawn in this regard by the Circle Officer to make such request. For the present, thus, we would give liberty to the petitioner to file an appropriate application under the Bihar Public Land Encroachment Act, 1956, if so aggrieved by such encroachment over a public land as described in the writ petition and it goes without saying that any such application filed by the petitioner under the provisions of the aforesaid Act by arraying the alleged encroachers and explaining the extent of encroachment, shall be considered and disposed of by the Circle Officer, Patna Sadar in accordance with law with due opportunity of hearing to the petitioner as well as to the alleged encroachers.



With the observations above, the writ petition as well as the interlocutory application stands disposed of.

(Jyoti Saran, J)

(Arvind Srivastava, J)

mcv/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.02.2019
Transmission Date	NA

