

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6936 of 2019

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Santosh Prasad Sah son of Jawahar Sah Resident of Village- Tadhawamadpur,
P.S. Bairia, District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Revenue and Land Reforms Department, Bihar,
Patna.
3. The District Magistrate West Champaran.
4. The Additional Collector West Champaran.
5. The Sub Divisional Officer Bettiah District West Champaran.
6. The Circle Officer Bairia District West Champaran.
7. Lal Babu Yadav son of Late Durgendra Yadav Resident of Village-
Tadhawamadpur, P.S. Bairia, District West Champaran.
8. Ramdeo Yadav son of Late Phojdar Yadav Resident of Village-
Tadhawamadpur, P.S. Bairia, District- West Champaran.
9. Mostt. Shubhawati Devi wife of Lagte Chhatu Sah Resident of Village-
Tadhawamadpur, P.S. Bairia, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma, Adv.

For the Respondent/s : Mr. Md. Khursid Alam, AAG12

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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 08-04-2019 Heard Mr. Ajay Kumar Sharma, learned counsel for
the petitioner and learned counsel for the State.

The petitioner though complains of encroachment
on a public land bearing Khata No.164 Plot No.85 situated in
Mauza Tadhawmadpur, Circle Baira, in the district of West
Champaran but on query made to Mr. Sharma as to whether the



petitioner has moved the statutory authorities under the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act') levelling such complaint, Mr. Sharma had no satisfactory answer.

In such situation, we allow the petitioner to take recourse to the remedy so available under 'the Act' by filing appropriate application demonstrating the alleged encroachment and after arraigning the alleged encroachers.

It goes without saying that should any such application be filed by the petitioner, the Circle Officer i.e respondent No.6 shall consider and dispose of the same in accordance with law affording opportunity of hearing to the complainant as well as the alleged encroachers preferably within 6 months of filing of such application.

With the observations/directions above, the writ petition is disposed of.

(Jyoti Saran, J)

(Arvind Srivastava, J)

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