

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5225 of 2019

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Chandan Kumar @ Chandan Yadav S/o Upendra Yadav Vill.- Mahkar, PS.-
Bakhtiyarpur, Distt.- Saharsa

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna
2. The Principal Secretary Revenue and Land Reforms Department, Govt. of Bihar, Patna
3. The Director Revenue and Land Reforms Department, Govt. of Bihar, Patna
4. The Commissioner, Koshi Division, Saharsa
5. The Collector, Saharsa
6. The Sub-Divisional Officer, Simri Bakhtiyarpur, Distt.- Saharsa
7. The Block Development Officer, Simri Bakhtiyarpur, Distt.- Saharsa
8. The Circle Officer, Simri Bakhtiyarpur, Distt.- Saharsa
9. The Circle Inspector, Simri Bakhtiyarpur, Distt.- Saharsa
10. The Anchal Amin, Simri Bakhtiyarpur, Distt.- Saharsa
11. Raj Kumar Yadav, S/o Sri Shiva Yadav Vill.- Mahkhar, Tola- Chakla, P.S.-
Bakhtiyarpur, Distt.- Saharsa

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha
For the Respondent/s : Mr. Subash Chandra Yadav (GP15)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-03-2019 Heard learned counsel for the petitioner and the State.

In the present writ application, the petitioner has prayed for issuance of an appropriate writ to set aside the order dated 08-12-2018 passed by the learned Collector-cum-Circle Officer, Simri Bakhtiyarpur whereby and whereunder the petitioner has been directed to remove the encroachment from plot No. 2008 (Old), 2009 (Old) New Plot No. 2053 in Mahkhar village ward No. 8 Tola Chakla P.S. + Circle Simri Bakhtiyarpur, District Saharsa. Further



prayer has been made for a declaration to the effect that the petitioner has not encroached the land and the land in question, is a private land of the petitioner, which has been acquired through sale deed by his father on which, his dwelling house situates. It has also been prayed to direct the respondent to enquire into the matter. Further prayer has been made to restrain the respondents from taking any action against the petitioner in the name of encroachment.

Considering the relief sought for in the present writ application, 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 application/representation of the petitioner and pass an appropriate order in accordance with law after giving opportunity of hearing to all the concerned parties preferably, within a period of four months from the date of filing of such appeal.

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

(Sudhir Singh, J)

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