

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5694 of 2019

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Shyam Bihari Tiwari Son of Uday Tiwari Resident of Village- Urdana, P.S.-
Badem O.P., District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Aurangabad
3. The Sub Divisional Officer, Aurangabad
4. The Circle Officer, Nabinagar, Aurangabad

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Leelawati Kumari, Adv.
For the Respondent/s : Mr.Partha 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 26-03-2019 The petitioner complains of encroachment over a public land in village Urdana Sub division Nabinagar in the district of Aurangabad, the specific details of which is mentioned in paragraph 6 and relates to plot bearing Khata No. 119 Plot No. 818 which according to the petitioner, is in the nature of public land and encroached by individuals causing problem in the construction of the road. Annexure-7 is the report by the Halka Karamchari on the complaint made and which according to learned counsel for the petitioner, confirms the encroachment by the individuals named therein.

In the circumstances and for the present we would



allow the petitioner to file formal complaint under the provisions of the Bihar Public Land Encroachment Act before the respondent No.4 by arraigning the encroachers of the public land in question and since the Halka Karamchari's report is already present at Annexure-7, the Circle Officer, Nabinagar would proceed to dispose of the complaint after due opportunity of hearing to the petitioner as well as the encroachers in accordance with law within 6 months of filing of such complaint bearing in mind the Halka Karamchari's report.

The writ application is disposed of.

(Jyoti Saran, J)

(Arvind Srivastava, J)

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