

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6800 of 2019

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Mithlesh Kumar Pandey (M), aged about 70 Years, Son of Late Ramlakhan Pandey, R/o Village-Baikathpur, P.S.-Khushrupur, District-Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue, Patna.
2. The District Magistrate Patna.
3. The Sub-Divisional Magistrate Patna City, Patna.
4. The Circle Officer, Khushrupur, Patna.
5. The Tahsil Karmchari, Baikathpur Panchayat, P.S. Khushrupur, District-Patna.
6. Sri Vijay Kumar Tiwary (M), aged about 65 Years, Son of Late Tarkeshwar Tiwary, R/o Village-Baikathpur, P.S. Khushrupur, District-Patna.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Onkar Nath,Advocate.
For the Respondents : Mr.Md. Khurshid Alam, A.A.G. 12.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The following reliefs have been sought for on behalf
of the petitioner in the present writ application.

- “1(i) For commanding the respondent authorities particularly the respondent no. 2 to remove the encroachment appertaining to Mauza-Baikathpur, Survey Thana No. 135, Khata No. 842, Khesra No. 1996, for area of 6 decimal which is existing in the nature of Gairmazarua-aam.
- (ii) For commanding the respondent authorities to look into high-



handedness of private respondent
no. 6 who has admittedly
encroached the above said land.”

Considering the reliefs as sought for on behalf of the
petitioner in the present writ application, the petitioner is
directed to file application/complaint before the respondent no.
4 i.e., The Circle Officer, Khushrupur, Patna, within a period of
one month from today. The respondent no. 4 i.e., The Circle
Officer, Khushrupur, Patna, shall consider the
application/complaint of the petitioner after giving an adequate
opportunity of hearing to all concerned parties, and pass final
order, within a period of five months from the date of receipt of
such application/complaint. Final order shall be passed after
complying the provisions of Sections 3, 4 and 5 of the Bihar
Public Land Encroachment Act.

With the aforesaid observations and directions, the
present writ application stands disposed of.

(Sudhir Singh, J)

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