

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6545 of 2019**

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Anil Kumar Sah Son of prabhu Lal Sah, Resident of Village-Chaksaho, P.S.  
and Anchal Patoree District-Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue of Land Reforms Department, Government of Bihar, Patna
2. The Divisional Commissioner, Darbhanga, Division, Darbhanga
3. The District Magistrate, Samastipur
4. The Additional Collector Samastipur
5. The Sub Divisional Magistrate, Patoree, Samastipur
6. The Deputy Collector, Land Reforms Patoree, Samastipur
7. The Circle Officer, Patoree, Samastipur
8. The Officer-In-Charge of Patoree Police Station Patoree Samastipur
9. Gauri Kant Jha, Son of Prakash Jha Resident of Village-Chaksaho, P.S. Patoree, District Samastipur

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Abhay Kumar Jha  
For the Respondent/s : Mr.Rakesh Kumar Shrivastava, A.C. to G.P.-15

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      03-04-2019      Heard the parties.

The petitioner has filed the present writ application for issuance of writ in the nature of mandamus commanding and directing the respondents, especially respondent no. 7 the Circle Officer, Patoree, Samastipur, to initiate encroachment proceeding for removal of encroachment upon the public land of public road in village Chaksaho pertaining to Khesra No. 1393(new) under P.S. and Block and Circle Patoree in the district of Samastipur which has been encroached by respondent no. 9, Gauri Kant Jha, by way of



constructing a wall. The petitioner has further prayed for issuance of direction to the respondents to dispose of petition dated 03.07.2018 filed by the petitioner in accordance with Bihar Public Land Encroachment Act, 1950.

The petitioner has filed an application dated 3.7.2018 (Annexure-1) before the Circle Officer for redressal of the grievance but no action has been taken on his part. The petitioner thereafter filed a complaint on 16.3.2019 (Annexure-2) under Bihar Right to Public Grievance Redressal Act, 2015 for redressal of his grievance. The said application is also pending and no action has been taken till date.

The petitioner is directed to file a fresh application before respondent No. 7 (the Circle Officer, Patoree, Samastipur) within a period of 30 days from today. The Respondent No. 7 shall consider the application of the petitioner and pass an appropriate order in accordance with law within a period of five months from the date of filing of such representation after giving opportunity of hearing to all the concerned parties.

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

**(Sudhir Singh, J)**

Pankaj/-

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