

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7620 of 2019

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Adalat Paswan, age 49 years, Male, Son of Late Budhu Paswan Resident of
Village-Maksudpur, P.O. and P.S.-Sahjahanpur, District-Patna

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary Home Department, Government of Bihar, Patna
3. The Principal Secretary Land Revenue and Reforms Department,
Government of Bihar, Patna
4. The District Magistrate Patna
5. The Circle Officer Daniyawna Block, District-Patna

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj
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 12-04-2019 Heard learned counsel for the parties.

The petition is for removal of encroachment on a plot
of land bearing Plot No. 58, 611, 795, 649, 650, 749, 748, 750
and 806 of Khata No. 139 and Plot No. 657 of Khata No. 138
situated at village Maksudpur, Block Daniyawan, in the district
of Patna.

The pleadings on record shows that although some
kind of representation is filed by the petitioner but no statutory
application as required to be filed under the provisions of Bihar
Public Land Encroachment Act, 1956 (hereinafter referred to as



‘the Act’) has been filed before the respondent Circle Officer, Daniyawar, in the district of Patna making any such complaint.

In the circumstances, we give liberty to the petitioner to file statutory application under the provisions of ‘the Act’ by arraigning the alleged encroachers and also explaining the extent of encroachment and it goes without saying that any such application filed by the petitioner would be considered and disposed of in accordance with law by the Circle Officer, Daniyawar after opportunity of hearing to the petitioner as well as alleged encroachers within a period of six months of filing of such application.

The writ petition is disposed of with the directions above.

(Jyoti Saran, J)

(Arvind Srivastava, J)

Surendra/-

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