

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9614 of 2019

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Bhrigunath Tiwari @ Bhriti Jee S/o Late Baleshwar Tiwari Resident of
Malviya Nagar, P.s.- Mahadeva O.P., Distt.- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development
Department, Govt. of Bihar, Patna
2. The District Magistrate Distt.- Siwan, Bihar
3. The Sub divisional Officer Siwan Sadar, Siwan, Bihar
4. The DCLR Siwan, Bihar
5. Circle Officer Siwan, Bihar
6. Paras Paras Nath Pathak S/o Late Vishwanath Pathak Vill.- Nai Basti
Mahadeva, P.o. Siwan, P.s.- Mahadeca O.P. Siwan, Distt.- Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satyendra Rai, Adv. Mr. Shree Nivas Madhuvan, Adv.
For the Respondent/s	:	Mr. Harish Kumar, GP-8

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is aggrieved by the inaction on the part of
official of the State in the matter of removal of encroachment
over public land/road.

Learned counsel for the petitioner submits with
reference to Annexure-5 that the encroachment over the public
land/road is admitted but no action was taken by the respondents
for removal of encroachment over the public land/road.

Learned counsel for the petitioner admits that no



regular case for removal of encroachment under the Bihar Public Land Encroachment Act have been registered.

Considering the aforesaid, the writ application is disposed of with liberty to the petitioner to approach the Circle Officer Barharia, District Siwan for registration of regular case under the Bihar Public Land Encroachment Act.

In the event petitioner files application before the Circle Officer, Siwan, the Circle Officer, Siwan is required to register regular case for removal of encroachment and after hearing the parties, necessary decision with regard to removal of encroachment may be passed after deciding whether the land in question is private land or public land? The Circle Officer, Siwan shall finally decide the entire issue within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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