

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8721 of 2019

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Maud Choudhary, S/o Late Shekhar Choudhary, R/o Village- Makarampur,
Ramauli, Darbhanga, P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector- Darbhanga, District- Darbhanga.
2. The Collector Darbhanga, District- Darbhanga.
3. The Senior Superintendent of Police, Darbhanga, District- Darbhanga.
4. The D.S.P, Benipur District- Darbhanga.
5. The Station House (Officer In Charge) Behara, P.S.- Bahera, District- Darbhanga.
6. The Anchal Adhikari, Benipur Anchal in the District of Darbhanga.
7. The Sub Divisional Magistrate, Benipur, District- Darbhanga.
8. The Officer Public Grievance Redressal Forum, Benipur, District- Darbhanga.
9. Bindu Choudhary, S/o Late Shiv Shankar Choudhary, Resident of Village- Makrampur, Ramauli, P.S.- Bahera, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Veena Kumari Jaiswal
For the Respondent/s : Mr. Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and the State.

2. The grievance of the petitioner in the instant writ application is reluctance on the part of official respondents in removing the encroachment over the public land.

3. Learned counsel for the petitioner submits that the Circle Officer has not registered any regular case for determination of encroachment over public land and for removal of the same. He has referred to the direction issued by the Public Grievance Redressal Officer, Benipur, Darbhanga to the effect



that the Public Grievance Redressal Officer, Benipur has directed removal of encroachment.

4. Under the Bihar Public Land Encroachment Act there is definite procedure for determination of encroachment over the public land and removal of the same. Since, no case was registered under the Bihar Public Land Encroachment Act, it would be appropriate that the petitioner may approach the Circle Officer, Benipur, Darbhanga by filing application in prescribed format so that he may register a case for removal of encroachment and after hearing the parties likely to be adversely affected the Circle Officer is required to pass appropriate order. Entire exercise in this regard must be taken by the Circle Officer, Benipur within a maximum period of six months from the date of filing of such application along with a copy of this order.

5. With the aforesaid, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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