

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4416 of 2018

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Neelam Devi Wife of Vinod Kumar Ray Resident of Ward No. 9, Gajbor Tola,
Village Kewta, Post - Kewta, P.S. - Dalsinghsarai, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Land Revenue Department, Government of Bihar, Patna.
3. The District Magistrate-cum-District Collector, Samastipur.
4. The Sub-Divisional Officer, Dalsinghsarai, Samastipur.
5. The Circle Officer, Dalsinghsarai Circle Officer, Samastipur.
6. The Indian Oil Corporation Ltd. through its Deputy General Manager, Retail Sales, Lok Nayak Bhawan,

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Brisketu Sharan Pandey
For the Respondent/s : Mr.Md. Khurshid Alam- Aag12

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

2 28-06-2019 Heard Mr. Brishketu Sharan Pandey, learned counsel

for the petitioner, Mr. Arun Kumar Bhagat, A.C. to AAG 12 for

the State and Mr. Amlesh Kumar Verma for the Indian Oil

Corporation.

A complaint of encroachment on a public land lies at

the foundation of the present public interest litigation and to

canvass the same Mr. Pandey refers to a representation at

Annexure P/2 which in our opinion is bereft of details regarding

the alleged encroachment.



In such circumstances and for the present we give liberty to the petitioner to espouse his cause before the respondent No.5 by filing a duly constituted application under Section 3 of the Bihar Public Land Encroachment Act, 1956 by not only arraigning the alleged encroachers but also demonstrating encroachment.

It goes without saying that any such application is filed by the petitioner would be taken to its conclusion in accordance with law with opportunity of hearing to the petitioner-complainant as well as encroachers together with other parties connected therewith, within a period of 6 months of its filing.

With the observations above, the writ petition is disposed of.

(Jyoti Saran, J)

(Partha Sarthy, J)

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