

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.584 of 2019

=====

Ravi Ranjan Kumar Singh Son of Shiv Prasad Singh Resident of Village-
Ratanpur, P.O.-P.S.-Piprahi, District-Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate-Cum-Collector, Sheohar.
3. Additional Collector, Sheohar.
4. SDO, Sheohar
5. Sub Divisional Public Grievance Redressal Officer, Sheohar.
6. Circle Officer, Piprahi Anchal, Sheohar.
7. Shambhu Kunwar Son of Late Gauri Shanakr Kunwar, Resident of Village-
Ratanpur, P.O.-P.S.-Piprahi, District-Sheohar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Gopal Bohra
For the Respondent/s : Mr.Rishi Raj Sinha

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The grievance of the petitioner in the present case is
that the respondents have not measured the land and as a result
thereof the encroachment over public land is existing.

Considering the statutory provisions under section
133 Cr.P.C. as well as under the Bihar Public Land
Encroachment Act the encroachment over road used by the
petitioner would be appropriately examined by the Circle
Officer Piprahi Anchal, Sheohar under Bihar Public Land



Encroachment Act or the Sub-Divisional Officer Sheohar under section 133 Cr.P.C. for removal of encroachment over of public road, the Court is not inclined to exercise the jurisdiction under Article 226 of the Constitution of India but to relegate the petitioner to the alternative remedies.

In the event, if petitioner files an application before the Circle Officer Piprahi Anchal, Sheohar or before the Sub Divisional Officer, Sheohar, the concerned officers are required to take appropriate decision in accordance with law for determination of encroachment. Necessary decision with regard encroachments and its removal must be taken by the respondents within a maximum period of six months from the date of filing of application alongwith a copy of this order.

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

(Anil Kumar Upadhyay, J)

mdrashid/-

U			
---	--	--	--

