

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24712 of 2019

Vibhash Kumar, Son of Tarni Yadav , Tamkulha, Ward Noi-11, Baraith, Post and Police Station-Sonbarsha, District-Saharsa, PIN-852217.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Divisional Commissioner, Saharsa.
3. The District Magistrate-Madhepura, Post officer-Madhepura, Police Station-Madhepura District-Madhepura-852113,
4. The Sub-Divisional Officer, Madhepura.
5. The Circle Officer-Madhepura, Post Office-Madhepura, Police Station-Madhepura District-Madhepura-852113,
6. The Executive Engineer-N-H-106- Madhepura
7. Professor Bhupendra Narayan @ Bhupendra Madhepury, Son of Late Natho Mandal, aged about 65 Years, Gender-male Azad Tola, Post Office-Madhepura, Police Station-Madhepura District-Madhepura-852113,

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar @ Ravindra Kr Rai
For the Respondent/s : Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 10-12-2019

Petitioner has prayed for the following relief:-

“For issuance of appropriate writ/writs/direction/directions and writ in the nature of *mandamus certiorari* or writs in the nature thereof or any other appropriate writs/orders/directions for commanding the respondents authorities, named above, for direction to remove encroachment from the public land.”

Petitioner has filed the instant petition, inviting



attention of this Court to the alleged encroachments carried out by the private respondent no. 7 namely Professor Bhupendra Narayan Yadav @ Bhupendra Madhepury.

We find that the petitioner, in view of disputed questions of fact, can take recourse to the statutory remedy available under the provisions of the Bihar Public Land Encroachment Act, 1956.

As such leaving all questions open, we dispose of the present writ petition reserving liberty to the petitioner to take recourse to such remedy as otherwise is available in accordance with law.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

sujit/-

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