

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18771 of 2019

=====

Suresh Kumar Singh S/o Sri Dharm Das Singh, Resident of Mauza Bharadhi,
Shiv Koloni, Near Shershah Hotel, P.S. Sasaram, District Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue and Land reform Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Patna
3. The District Magistrate Sasaram (Rohtas).
4. The Land Reform Deputy Collector Sasaram (Rohtas).
5. The Sub Divisional Officer, Sasaram (Rohtas)
6. The Circle Officer Sasaram (Rohtas)
7. Munna Tiwari S/o not Known Resident of Mauza Matadhi, Shiv Koloni Near Shersah Hotel P.S. Sasaram District Sasaram (Rohtas)
8. Arbind Tiwari S/o not known Resident of Mauza Matadhi, Shiv Koloni Near Shersah Hotel P.S. Sasaram District-Sasaram (Rohtas)
9. Lakashaman Chaudhari S/o of Not Known Resident of Mauza Matadhi, Shiv Koloni Near Shersah Hotel P.S. Sasaram District-Sasaram (Rohtas)

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-09-2019 The present writ petition has been filed for directing the respondent authorities to remove the encroachment made in Mauza Matadhi (Shiv Kolony) Khata No. 104, Plot No. 246 respectively in P.S. Sasaram Block Sasaram District Sasaram (Rohtas). The land in question which is Aam Public Road is alleged to have been encroached by the respondents No. 7 to 9.

This Court is of the view that for the purposes of removal of encroachment from the public land, the petitioner is



required to approach the Circle Officer concerned i.e. the Circle Officer, Sasaram at Rohtas by filing an appropriate complaint under the provisions of the Bihar Public Land Encroachment Act, 1956.

Accordingly, the present writ petition stands disposed of with liberty to the petitioner to approach the Circle Officer, Sasaram at Rohtas by filing an appropriate complaint under the provisions of the Bihar Public Land Encroachment Act, 1956, which shall then be examined by the Circle Officer, Sasaram at Rohtas and thereafter appropriate action shall be taken for removal of the encroachment, in case the Circle Officer, Sasaram at Rohtas finds that the public land has been encroached by the private respondents.

It is needless to state that the Circle Officer, Sasaram at Rohtas shall be bound to pass final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, after giving an opportunity of hearing to the encroachers.

(Mohit Kumar Shah, J)

Tiwary/-

U			
---	--	--	--

