

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9398 of 2018

Chandra Shekhar Singh Son of Ram Kripal Singh Resident of Village and Post- Semara, P.S. Natwar, Block- Dinara, District- Sasaram at Rohtas, and at Present address- F/16, Kurich, Surya Nagar near New Kanal, Ara Sasaram Road, Mahavir Asthan, Sasaram, Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Deputy Collector Land Reform, Rohtas.
3. The Circle Officer, Block- Dinara, Rohtas.
4. The Officer in Charge of Natwar Police Station, Block- Dinara, Rohtas.
5. Rajendra Singh
6. Janardan Singh Both are Sons of Late Rambali Singh
7. Laxmi Singh Son of Dharmdev Singh
8. Shubham Kumar Son of late Baijnath Singh
9. Kamal Singh Son of late Sital Prasad Singh
10. Dashrath Singh son of Raghunandan Singh All are resident of Village and Post- Semara, P.S. Natwar, Block- Dinara, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh
For the Respondent/s : Mr. Rishi Raj Sinha, SC-19

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-07-2019 The present writ petition has been filed seeking the following reliefs:-

- (i) *For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the respondent no. 1 to 4 to remove encroachment from public/government land bearing of R.S.P. Khata No. 150, Plot No. 785, area 3 acre 63 decimal and from Khata No. 150, Plot No. 79, area 3 acre 19 decimal, which is recorded in government record as "Sarvasadharan Anawad" land and over plot no. 785*



there is pond which is used by the villagers for purposes of worship, taking bath and also to take bath of their animal and over plot no. 79 there is training cum production centre of government is running where is no way to go with four wheeler as the respondent no. 5 to 10 along with other villagers have illegally encroached the same and due to which the villagers are facing great trouble or problem is discharging their duty/work and which is public pond and road and is used by villagers from long back time.

(ii) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the respondents to remove encroachment from R.S.P. Khata No. 150, Plot No. 785, area 3 acre 63 decimal and from Khata No. 150, Plot No. 79, area 3 acre 19 decimal, which is government land mentioned as Sarvasadharan land and there is pond and road over the land in question and used by people of the villagers and have been forcefully encroached by more than 10 people of the village and so why there is no road and source of pond to do worship and other ritual work for the people of the village.

(iii) For issuance of an appropriate writ in the nature of Mandamus, commanding and directing the respondents to make free land above mentioned and also to free road which is only way to go to the centre and these are public land and the same has been encroached by the respondents 5 to 10 as they are muscle



person and have good contact in administration.

(iv) For issuance of any other writ/writs/order/orders/direction/directions for which they writ petitioner is legally found entitled on behalf of his community and poor villagers under the facts and circumstances of the case.”

Having regard to the nature of relief prayed for in the present writ petition, the petitioner is required to approach the Circle Officer, Block-Dinara, Rohtas for redressal of his aforesaid grievances.

Accordingly, the petitioner is granted liberty to approach the respondent no. 3 by filing appropriate representation within a period of four weeks from today whereupon the respondent no. 3 shall institute proceedings under the Bihar Public Land Encroachment Act, 1956, if permissible, and dispose off the same expeditiously after hearing the encroachers within a period of six months thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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