

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20854 of 2018

Most. Tetari Khatoon @ Tetari, W/o Late Md. Saful, Resident of Village-Biraul, P.S.- Pandaul, District- Madhubani.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue Department, Government of Bihar, Patna.
3. The Collector, Madhubani.
4. The Circle Officer, Circle- Pandaul, District- Madhubani.

... .. Respondents

Appearance :

For the Petitioner : Mr.Bimal Kumar Jha, Advocate.
For the Respondents : Ms. Prakritita Sharma, A.C. to S.C. 25.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-03-2019 Heard learned counsel for the petitioner and learned counsel for the respondents.

The following reliefs have been sought for in paragraphs 1(I),(II) and (III) of the present writ application on behalf of the petitioner:

“1(I) For issuance of a writ in the nature of certiorari for quashing the notice bearing Memo No. 4/xi dated 10.08.2018 and Memo No. 8/xi dated 15.09.2018, issued under Form-II of the Bihar Public Land Encroachment Act, 1956 in Encroachment Case No. 02/2018-19, by the Circle Officer, Pandaul, Madhubani (Annexure-7 series to this writ petition) against this petitioner, directing her to vacate the land measuring an area of 3/2 decimals of C.S. Plot No. 339, R.S. Plot No.1449, situated at village-Biraul, Revenue Thana No. 174, P.S.-Pandaul, District-Madhubani, with all its consequences.



(II) For issuance of a writ in the nature of mandamus, commanding and directing the respondents to give an occasion to the petitioner to adduce evidence in the aforesaid case in support of her show-cause dated 24.07.2018, as contained in Annexure-6 to this writ petition.

(III) For issuance of a writ in the nature of mandamus, commanding and directing the respondents to make an alternative arrangement for rehabilitating the petitioner, as she has no any other alternative for her residence.”

Considering the reliefs as sought for on behalf of the petitioner, the petitioner is directed to prefer an appeal under Section 11 of the Bihar Public Land Encroachment Act against the order passed under Section 6(1) of the Bihar Public Land Encroachment Act within a period of thirty days from today.

The Appellate Authority shall consider the grievance of the petitioner and pass an appropriate order in accordance with law.

With the aforesaid observations and directions, the present writ application stands disposed of.

(Sudhir Singh, J)

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