

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20305 of 2019

1. Gajendra Kumar Mandal, aged about 70 years, Male, S/o Late Fucholal Mandal, R/o village- Arajpur, P.O. and P.S.- Chausa District Madhepura.
2. Ratna Sanjay, Aged about 29 years, Male, S/o Bidyanand Mandal, R/o village- Arajpur, P.O. and P.S.- Chausa District Madhepura.
3. Shailendra Kumar, aged about 69 years, Male, S/o Late Kaleshwar Mandal, R/o village- Arajpur, P.O. and P.S.- Chausa District Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary Revenue and Land Reforms, Government of Bihar, Patna.
4. The District Collector, Madhepura.
5. The District Land Acquisition Officer, Madhepura.
6. The Sub Divisional Officer, Udakishunganj, Madhepura.
7. The Circle Officer, Chausa.
8. The Block Development Officer, Chausa, Madhepura.
9. The Superintendent of Police, Madhepura.
10. The Sub-Divisional Police Officer, Udakishunganj.
11. The S.H.O., Police Station Chausa
12. The in-charge Headmaster-cum-Secretary Gandhi High School, Arajpur, Chausa, Madhepura.
13. Charitrya Mandal, S/o Late Thitur Mandal, R/o Gram Post- Arajpur, P.O. and P.S.- Chausa, District- Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav
For the Respondent/s : Mr.Sajid Salim Khan (SC25)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

Date : 16-10-2019

Heard learned counsel for the parties.



In this case, the allegation has been made that Charitrya Mandal, the respondent no.13, has made a Pucca illegal construction over the land of the school situated in the village Arajpur, Chausa, Madhepura.

It has been stated that the present petitioners have filed a complaint to the In-charge Headmaster and Secretary of the School Managing Committee for taking appropriate action to prevent any construction over the land of the school. As per petitioners, no action has been taken as yet.

Let the petitioners should file a proper application to the Circle Officer, Chausa who will give notice to the respondent no.13 and call for a record showing right over the land as well as he will also esquire into as to whether the land, in question, is a public land or a private land. If it is found that it is a public land, in such circumstances, a proceeding under the Bihar Public Land Encroachment Act will be initiated and proper action will be taken for removal of the construction made by the respondent no.13 Charitrya Mandal.

Let the entire process be completed within a period of nine months from the date of filing of the application by the petitioners.



The Circle Officer, Chausa will submit an action taken report to this Court for its perusal.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

(Partha Sarthy, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.10.2019
Transmission Date	

