

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19829 of 2019

1. Harivansh Mandal, Son of Late Tengar Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
2. Shobha Kant Mandal, Son of Arjun Prasad Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
3. Dablu Pandit, Son of Chalitar Pandit, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
4. Raj Kumar Singh, Son of Late Ram Singh, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
5. Anuplal Mandal, male, aged about 41 years, Representative of Mukhiya, Kishandaspur Panchayat Son of Late Medi Mandal. resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
6. Umakant Mandal, Son of Hitlal Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. The District Magistrate, Bhagalpur.
3. The Sub-Divisional Officer, Kahalgaow, Bhagalpur.
4. The Deputy Inspector General, Bhagalpur.
5. The Superintendent of Police, Bhagalpur.
6. The Circle Officer, Kahalgaow, Bhagalpur.
7. The Officer-in-Charge, Budhuchak, P.S. Kahalgaow, Bhagalpur.
8. Nawal Yadav, Son of Late Janardhan Yadav, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
9. Naresh Mandal, Son of Late Prasadi Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
10. Suresh Mandal, Son of Late Prasadi Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
11. Babu Lal Mandal, Son of Late Prasadi Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
12. Kare Lal Mandal, Son of Late Prasadi Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
13. Purushottam Gupta, Son of Late Bhagwat Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
14. Binay Mandal, Son of Late Kajal Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
15. Mahatma Mandal, Son of Late Kajal Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
16. Vikram Ravidas, Son of Late Malik Harijan, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.



17. Pinku Harijan, Son of Late Malik Harijan, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
18. Dharmendra Harijan, Son of Ramdiv Harijan, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
19. Choute Harijan, Son of Ramdiv Harijan, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
20. Sukumari Devi, D/o Late Ganesh Harijan, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
21. Ramdiv Harijan, Son of Not Known, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
22. Chamak Lal Sharma, Son of Late Bishwanath Sharma, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
23. Murlidhar Poddar, Son of Late Raju Poddar, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
24. Manju Devi, Wife of Satya Narayan Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
25. Kishan Mandal, Son of Bishwapati Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
26. Ashok Gupta, Son of Late Mahendra Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
27. Naresh Gupta, Son of Late Mahadev Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
28. Suresh Gupta, Son of Late Bhagwan Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
29. Shyam Mandal, Son of Late Jagdish Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
30. Bishwanath Mandal, Son of Late Jagdish Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
31. Gazadhar Mandal, Son of Late Jagdish Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
32. Deep Narayan Gupta, Son of Late Jagdish Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
33. Saryug Gupta, Son of Late Jagdish Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
34. Dinesh Gupta, Son of Late Jagdish Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
35. Mahesh Gupta, Son of Late Jagdish Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
36. Raj Kumar Gupta, Son of Late Maya Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
37. Roshan Gupta, Son of Late Pasupati Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
38. Rakesh Gupta, Son of Late Pashupati Gupta, resident of Village- Barohia,



P.O. and P.S.- Budhuchak, District- Bhagalpur.

39. Chandrashekhar Gupta, Son of Late Satya Narayan Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
40. Ashok Kumar Gupta, Son of Satya Narayan Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
41. Ramesh Sah, Son of Late Kanti Sah, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
42. Pramila Devi, Wife of Late Jagdish Sah, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
43. Arjun Thakur, Son of Late Skhdev Thakur, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
44. Jangali Mandal, Son of Late Doman Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
45. Bashu Mandal, Son of Late Nanku Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
46. Feku Mandal, Son of Late Mohan Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
47. Kamal Tekriwal, Son of Late Ramawatar Tekriwal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
48. Suresh Poddar, Son of Late Doman Poddar, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
49. Om Parkash Poddar, Son of Late Harishankar Poddar, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
50. Gujay Mandal, Son of Late Tale Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
51. Upendra Mandal, Son of Late Laljee Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
52. Sarguji Mandal, Son of Late Laljee Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
53. Wakil Mandal, Son of Mahendra Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
54. Bazo Mandal, Son of Mahendra Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
55. Chhote Lal Mandal, Son of Late Kuldip Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
56. Mahendra Mandal, Son of Late Kuldip Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
57. Kare Lal Mandal, Son of Late Kuldip Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
58. Subodh Mandal, Son of Late Radhe Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
59. Prabhu Mandal, Son of Late Doman Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.



60. Bijli Mandal, Son of Late Mishi Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
61. Yeshodhan Mandal, Son of Late Chicho Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
62. Hirday Mandal, Son of Late Chicho Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
63. Bishnu Dayal Singh, Son of Late Bhuneshwar Singh, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
64. Yogendra Gupta, Son of Late Kishan Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
65. Om Prakash Gupta, Son of Late Ayodhya Prasad Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
66. Dilip Gupta, Son of Late Mahendra Gupta, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
67. Niranjana Kumar Mandal, Son of Barhamdeo Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
68. Sanjay Kumar Mandal, Son of Brahamdeo Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
69. Jai Prakash Mandal, Son of Brahamdeo Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
70. Brahamdeo Mandal, Son of Late Jhunnu Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
71. Anirudh Mandal, Son of Late Shivcharan Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
72. Ashok Mandal, Son of Late Shivcharan Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
73. Oopi Mandal, Son of Late Shivcharan Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
74. Sugdeo Mandal, Son of Bhutku Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
75. Ganori Mandal, Son of Bhutku Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
76. Bhutku Mandal, Son of not known, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
77. Damodar Mandal, Son of Late Brahamdeo Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
78. Shyam Sunder Mandal, Son of Late Brahamdeo Madal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
79. Birendra Mandal, Son of Late Brahamdeo Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
80. Chandrika Mandal, Son of Late Niro Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
81. Thakur Mandal, Son of Late Isho Mandal, resident of Village- Barohia, P.O.



and P.S.- Budhuchak, District- Bhagalpur.

82. Triloki Mandal, Son of Late Isho Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.
83. Shanka Mandal, Son of Late Baldev Mandal, resident of Village- Barohia, P.O. and P.S.- Budhuchak, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jai Shankar Prasad
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-09-2019 At the outset, the learned counsel for the petitioners seeks liberty to approach the Circle Officer, Kahalgaon, District Bhagalpur for removal of the encroachment in question made by the private respondents over the public road.

Accordingly, the present writ petition stands disposed of as withdrawn, however, with liberty to the petitioner to approach the Circle Officer, Kahalgaon, District Bhagalpur by filing appropriate complaint under the provisions of the Bihar Public Land Encroachment Act, 1956 and in case such an application is filed, the Circle Officer, Kahalgaon, District Bhagalpur shall take appropriate decision under the provisions of the Bihar Public Land Encroachment Act, 1956 forthwith.

(Mohit Kumar Shah, J)

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