

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19390 of 2019

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Devendra Sharma Son of Vindeshwar Sharma Resident of Village-
Kasturipur, P.S.- Khudwan, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner.
2. The District Magistrate, Aurangabad.
3. The Sub-Divisional Officer, Daudnagar, Aurangabad.
4. The Circle Officer, Obra, Aurangabad.
5. Udeswar Sharma Son of Late Jagdish Sharma Resident of Village-
Kasturipur, P.S.- Khudwan, District- Aurangabad.
6. Arvind Sharma Son of Late Ramanand Sharma Resident of Village-
Kasturipur, P.S.- Khudwan, District- Aurangabad.
7. Sarju Sharma Son of Late Amar Sharma Resident of Village- Kasturipur,
P.S.- Khudwan, District- Aurangabad.
8. Binod Sharma Son of Late Rajdeo Sharma Resident of Village- Kasturipur,
P.S.- Khudwan, District- Aurangabad.
9. Shatrughan Sharma Son of Late Madheshwar Sharma Resident of Village-
Kasturipur, P.S.- Khudwan, District- Aurangabad.
10. Hirda Ram Son of Late Shiv Ram Resident of Village- Kasturipur, P.S.-
Khudwan, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey
For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-09-2019 The present writ petition has been filed by the

petitioner seeking a direction upon the respondents to remove

the encroachment over the public road of the village-Kasturipur

in Khata No. 244, Plot No. 1112 and Khata No. 245, Plot No.

1105 and Plot No. 1119, having area of more than 15 decimals

which has been encroached by the private respondent nos. 5 to



10.

This Court is of the opinion that in case the petitioner is seeking removal of encroachment from the public land/*rasta*, he is required to approach the Circle Officer, Obra, Aurangabad by filing appropriate complaint under the provisions of the Bihar Public Land Encroachment Act, 1956.

Accordingly, the present writ petition stands disposed off with liberty to the petitioner to approach the Circle Officer, Obra, District-Aurangabad by filing appropriate complaint under the provisions of Bihar Public Land Encroachment Act, 1956 and in case the Circle Officer, Obra, District-Aurangabad finds the complaint of the petitioner to be maintainable under the provisions of Bihar Public Land Encroachment Act, 1956, appropriate action shall be taken in accordance with the provisions of Bihar Public Land Encroachment Act, 1956, after due enquiry and measurement.

(Mohit Kumar Shah, J)

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