

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22580 of 2019

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Ramadhar Singh, S/o Late Kapildev Singh, R/o Village-Tengrahan, Gosaipur,
P.S.-Minapur, District-Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Revenue and Land Development,
Government of Bihar, Patna.
3. The Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate, Muzaffarpur, Bihar.
5. The Sub-Divisional Officer, East Muzaffarpur.
6. Shri Amar Jeet Paswan, Anchal Ameen, Minapur.
7. Shri Vidya Nand Singh, S/o Late Ramjivan Singh, R/o Village-Tengraha,
P.S.- Minapur, District-Muzaffarpur.
8. Shri Kishori Paswan, S/o Late Bhikhari Paswan, R/o Village-Tengraha, P.S.-
Minapur, District-Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra, Adv.
For the State : Mr.Md. Khurshid Alam, (AAG-12)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 18-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner has prayed for the following relief:-

“(i) To issue an appropriate order or
direction commanding the Respondent authorities
to remove the Encroachments from the public
land situated in Thana No. 576 under Mauza
Tengraha Block-Minapur in the District of



Muzaffarpur appertaining to Khata No. 516, Plot No. 1836, 1837 which is a public/the Government land used as a common passage for the entire village which is illegally and forcibly encroached by the private Respondents.

(ii). To issue further appropriate writ, order or direction commanding the Respondent authorities to take appropriate legal action as against the encroachers illegally occupying the Public/Government land creating problem for the public at large and stopping them from using the Government land for common use as Rasta.

(iii) To issue further appropriate writ, order or direction commanding the Respondent Principal Secretary to issue a high level inquiry into the matter of encroachment by people on public land due to which a large number of people are facing problem due to the blockage of the access from public land.

(iv) This Hon'ble Court may adjudicate and hold that the encroachment made by the encroachers is totally illegal and is fit to be removed without any further delay.

(v) This Hon'ble Court may further adjudicate and hold that the land on which the Encroachment is made is a public land wherein any individual cannot be allowed to encroach by any means whatsoever.

(vi) To award cost of litigation and suitable compensation to the petitioner for the loss and the



damages caused to the petitioner and the public at large.

(vii) To grant/award any other relief or reliefs which the petitioner may be found entitled to in the facts and circumstances of the case.”

Learned counsel for the petitioner states that though a representation dated 21.12.2014 was filed before the Deputy Collector, Land Development, Officer, East Muzaffarpur, but the same has not yet been disposed of.

Let the representation of the petitioner dated 21.12.2014 (Annexure-5) be considered and decided by the authorities concerned within a period of three months from the date of receipt/production of a copy of this order.

The writ application is accordingly disposed of with the direction aforesaid.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

Anil/Amrendra

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