

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23318 of 2019

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Mahindra Pandit Son of Adhanu Pandit, Resident of Village-Hawka, Sahpur Chintaman, P.O. Bhataura, P.S. Hathauri, Circle/Block Shivajee Nagar, District Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Divisional Commissioner, Darbhanga Division, Darbhanga.
3. The District Magistrate-Cum-Collector Samastipur
4. The Sub-Divisional Officer, Rosera Sub-Division, District-Samastipur.
5. The Circle Officer, Shivajee Nagar, District-Samastipur.
6. The S.H.O., Shivaje Nagar Police Station, Distrtict-Samastipur.
7. The Mukhiya, Grampanchayat Bhataura, Block/Circle Shivjee Nagar, District-Samastipur.
8. Harilal Pandit, Son of Late Yugeshwar Pandit Resident of Village Hawka, Sahpur Chintaman, P.O. Bhataura, P.S. Hathauri, Circle/Block Shivajee Nagar, District-Samastipur.
9. Rampukar Pandit, Son of Ratna Pandit Resident of Village Hawka, Sahpur Chintaman, P.O. Bhataura, P.S. Hathauri, Circle/Block Shivajee Nagar, District-Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Adv.
For the Respondent/s : Mr.Sajid Salim Khan (SC-25)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-11-2019 Heard learned counsel for the parties.

2. The petitioner has a grievance that respondents no. 8 and 9 have encroached upon public land, description of which has been given in paragraph-1 of this application.

3. Learned counsel appearing on behalf of the State of Bihar has rightly submitted that the remedy of the petitioner is



before the Circle Officer by making proper application for removal of encroachment from a public land. There is no document, which has been brought on record, to indicate that the petitioner ever approached the Circle Officer, who is the competent authority under the Bihar Public Land Encroachment Act, 1956.

4. In such view of the matter, this application is disposed of giving the petitioner liberty to approach the competent authority under the Act for raising his grievance against the alleged encroachment made by the private respondents over a public land.

(Chakradhari Sharan Singh, J)

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