

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25360 of 2019

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Mukesh Kumar Son of Suresh Rai Resident of Simli Murarpur, Police Station- Malsalami, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Department of Land Reforms and Revenue, Government of Bihar, Patna., New Secretariat, Patna, Bihar.
2. Commissioner Patna Division, Patna.
3. The District Magistrate-cum- Collector Patna.
4. Deputy Collector Land Reforms, Patna City, Patna.
5. The Sub- Divisional Magistrate Patna City, Patna.
6. Circle Officer Sadar Patna.
7. Anjani Kumar Sinha Son of Late Awadh Prasad S/o Road 6/A Rajendra Nagar, P.S.- Kadam Kuan, Distt.- Patna.
8. Anup Kumar Sinha Son of Late Awadh Prasad S/o Road 6/A Rajendra Nagar, P.S.- Kadam Kuan, Distt.- Patna.
9. Anuj Kumar Sinha Son of Late Awadh Prasad S/o Road 6/A Rajendra Nagar, P.S.- Kadam Kuan, Distt.- Patna.
10. Amit Kumar Sinha Son of Late Awadh Prasad S/o Road 6/A Rajendra Nagar, P.S.- Kadam Kuan, Distt.- Patna.
11. Ajit Kumar Sinha Son of Late Awadh Prasad S/o Road 6/A Rajendra Nagar, P.S.- Kadam Kuan, Distt.- Patna.
12. Shiv Nath Mahto Son of Late Godhan Mahto R/o Maham Pind, P.S.- Malsalami, Distt.- Patna.
13. Ramnath Mahto Son of Late Godhan Mahto R/o Maham Pind, P.S.- Malsalami, Distt.- Patna.
14. Uday Kumar Son of Late Devnath Mahto R/o Maham Pind, P.S.- Malsalami, Distt.- Patna.
15. Sukhdeo Prasad Son of Late Ramchandra Prasad R/o Mojipur Jadhochak, P.S.- Fatuha, Distt.- Patna.
16. Aasim Ali Son of Late Abdul Gafoor R/o Shah Ke Imli, P.S.- Khajakalan, At present Pakki Goraiya, P.S.- Khajakalan, Patna city, Distt.-Patna.
17. Most. Jubaida Khatoon W/o Late Illahi Baksh R/o Bakshi Maidan Begampur, P.S.- Chowk, Patna City, Distt.- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raj Shekhar
For the Respondent/s : Mr.Rishi Raj Sinha (SC-19)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-12-2019 Heard learned counsel for the parties.

2. The petitioner claims that the private respondents have encroached upon land, which is a public land.

3. It transpires that private respondent No.16 had approached the Public Grievance Redressal Officer in respect of the same land claiming his right and title. His application has been disposed of by an order dated 27.08.2019, from which it appears that the Circle Officer, in the said proceeding, had taken a plea that the land in question was a public land, which had been illegally encroached upon by respondent No.16. In the aforesaid background, the said application has been disposed of by the Public Grievance Redressal Officer with an observation that the Circle Officer shall ensure cancellation of Jamabandi and if respondent No.16 was claiming his title, he should approach the competent authority of civil jurisdiction.

4. It is evident on reading of the order of the Public Grievance Redressal Officer that the Circle Officer has already been asked to proceed and take steps, if the land in question is a public land.

5. It goes without saying that once the Circle Officer reaches a conclusion that the land in question is a public land,



he shall be at liberty to proceed, in accordance with law,
prescribed under Bihar Public Land Encroachment Act, 1956.

6. This application stands disposed of.

(Chakradhari Sharan Singh, J)

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