

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25393 of 2019

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Ramji Singh Son of Kishori Singh, Resident of Village-Joka Rupauli, Ward no. 1, P.S.-Bathanaha, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, the Land Reform Department Bihar, Patna.
2. The Collector, Sitamarhi.
3. The Sub-Divisional Officer, Sitamarhi Sadar, Distt-Sitamarhi.
4. The Circle Officer, Bathanaha, Distt-Sitamarhi.
5. Arun Singh, Son of Late Gulam Singh, Resident of Village-Joka Rupauli, P.S.-Bathnaha, District-Sitamarhi.
6. Ram Janag Singh, Son of Late Ram Ekwil Singh, Resident of Village-Joka Rupauli, P.S.-Bathnaha, District-Sitamarhi.
7. Ram Ugiyager Singh, Son of Anup Singh, Resident of Village-Joka Rupauli, P.S.-Bathnaha, District-Sitamarhi.
8. Ram Kailash Singh, Son of Late Jairam Singh, Resident of Village-Joka Rupauli, P.S.-Bathnaha, District-Sitamarhi.
9. Narayan Singh, Son of Late Ram Dayal Singh, Resident of Village-Joka Rupauli, P.S.-Bathnaha, District-Sitamarhi.
10. Ram Bharosh Singh, Son of Late Banwari Singh, Resident of Village-Joka Rupauli, P.S.-Bathnaha, District-Sitamarhi.
11. Ajay Singh, Son of Gajadhar Singh, Resident of Village-Joka Rupauli, P.S.-Bathnaha, District-Sitamarhi.
12. Ruplal Singh, Son of Late Laxmi Singh, Resident of Village-Joka Rupauli, P.S.-Bathnaha, District-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Respondent/s : Mr.Subash Chandra Yadav (GP-15)

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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 is seeking a direction to the State-respondents for removal of illegal encroachment from public



road appertaining to Khata No. 246, Plot No. 832, Area 86 decimal. The said encroachment is said to have been caused by the private respondent Nos. 5 to 12.

3. The petitioner shall be at liberty to pursue his grievance before the Circle Officer, Bathanaha for removal of encroachment.

4. The petitioner has remedy under Bihar Public Grievance Redressal Act, 2015 as also under Section 133 of the Code of Criminal Procedure, 1973, if according to him, illegal encroachment has been caused on a public road.

5. It is observed that if the Circle Officer has already been approached, in this regard and the Circle Officer is of the opinion that the land in question is a public land, he has an obligation to proceed for removal of encroachment in accordance with the provisions under Bihar Public Land Encroachment Act, 1956.

6. This application stands disposed of.

(Chakradhari Sharan Singh, J)

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