

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.871 of 2020

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Rajendra Mishra (M), aged about 82 years, Son of Late Ramrup Mishra,
Resident of Village-Auliyabad, P.S.-Bihpur, District-Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home Department,
Government of Bihar, Patna.
2. The District Magistrate, Bhagalpur.
3. The Circle Officer, Bihpur, District-Bhagalpur.
4. The S.H.O. Bihpur Police Station, District-Bhagalpur.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.
For the Respondent/s : Mr.Md.Irshad, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner as well as
learned counsel for the State.

A general notice dated 20.12.2019 has been issued by
the Circle Officer, Bihpur, District-Bhagalpur, whereby the
persons, who have encroached the government land/*Khas*
Kaisre Hind Land (Pond, *Pain*, ditch etc), have been asked to
vacate the same with clear stipulation that action would be taken
against them for removal of encroachment under the Bihar
Public Land Encroachment Act, 1956, if they fail to comply
with the notice.

Learned counsel for the petitioner assailing the said
general notice has submitted that he is aggrieved by the said,



because a copy of the said general notice has been sent to him also.

Learned counsel appearing on behalf of the petitioner has submitted that a proceeding was initiated for removal of encroachment, allegedly caused by the petitioner over a plot of land appertaining to Khata No.1882, Khesra No.3862, 3863 having an area of 0.08 and 0.27 decimals respectively. He submits that the petitioner has absolutely no concern with the aforesaid land. He has submitted that after issuance of the said general notice, the Circle Officer has approached the petitioner also at his residence, where he is presently residing, for removal of encroachment.

I need not go into the controversy as to whether the general notice is going to affect the petitioner or not. Any encroachment from the public land is to be removed in accordance with the provisions of the Act and if the petitioner is found to have encroached the public land, the authority should proceed against him in accordance with law.

The writ petition stands disposed of.

(Chakradhari Sharan Singh, J.)

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