

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4047 of 2020

Vinod Pandit @ Vinod Kohar, son of Late Ramayan Pandit @ Ramayan Kohar, resident of village Pakri Sham, P.O. Bathua Bazar, P.S. and Anchal and Prakhanda Phulwaria, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Collector, Gopalganj, District Gopalganj.
4. The Sub Divisional Officer, Hathua, District Gopalganj.
5. The Deputy Collector, Land Reforms, Hathua, District Gopalganj.
6. The Circle Officer, (Anchal Adhikari) Phulwaria, District Gopalganj.
7. The Block Development Officer, Phulwaria, District Gopalganj.
8. The Station House Officer, Police Station Phulwaria, District Gopalganj.
9. The Bihar Bhoodan Yagna Committee (Dissolve) through the Secretary, Board of Revenue, Bihar, Patna.
10. The Secretary, Board of Revenue, Bihar, Patna.
11. Harendra Choudhary, son of Kali Choudhary, resident of village Pakri Sham, P.O. Bathua Bazar, P.S. and Anchal and Prakhanda Phulwaria, District Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suresh Prasad Bhakta
For the Respondent/s	:	Mr.Sajid Salim Khan (Sc25)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-02-2020 Heard both sides.

Petitioner has filed this writ petition for a direction to the respondents to provide protection under Section 14(A) of the Bihar Bhoodan Yagna Act, 1954 and restore possession over the entire area settled in favour of the father of the petitioner as the Circle Officer, Phulwaria by order dated 31.12.2019 evicted the



petitioner in pursuance of order passed in Encroachment Case No.20 of 2017-18.

Learned counsel for the petitioner submits that Bihar Bhoodan Yagna Committee settled 25 decimals of land in favour of the father of the petitioner. The father of the petitioner constructed the house thereon but the petitioner also filed reply to the notice issued by the Circle Officer, Phulwaria for removal of encroachment.

It appears from the notice itself that Encroachment Case No.20 of 2017-18 was initiated and when the petitioner did not appear, the authority under the Act found that the petitioner encroached upon the public land and passed the final order. The petitioner has got alternative remedy by way of appeal before the Collector against the order passed in Encroachment Case No.20 of 2017-18.

In this view of the fact, I find no merit in this writ petition. Accordingly, this writ petition is dismissed with liberty to the petitioner to file appeal before the Collector, Gopalganj against the order passed in Encroachment Case No.20 of 2017-18.

(Prabhat Kumar Jha, J)

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