

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5218 of 2020

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Deo Krishna Ray, Son of Late Bansh Narayan Ray, Resident of Village- Vihar Colony, Road No.- 1, Dhanaut, District- Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Land Reforms Department, Bihar, Patna.
2. The District Magistrate-cum- Collector, Rohtas.
3. The Circle Officer Kochas, Rohtas.
4. The Mukhiya of Gram Panchayat- Narwar, Anchal- Kochas, P.S.- Dinara, District- Rohtas.
5. Brahmanand Rai S/o- Late Badri Narayan Rai R/o- Village and Post- Khudru, P.S.- Dinara, Anchal- Kochas, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rana Baljit Singh
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-03-2020 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:

“(i) For issuance of the appropriate writ/writs/direction/directions/order/orders commanding the State respondents to remove the encroachments by taking legal remedy from the Gair Majarua Aam Land (Anabad Sarv Sadharan) bearing cadastral Plot No. 326, Khata No.51 (Revisional Plot No.343, Khata No.81) situated in Mauja-Khudru, P.O.-



Khurdru, P.S.-Dinara, Anchal-Kochas, District-Rohtas (Sasaram), which has been encroached and possessed by private respondent no.5 Brahmanand Rai in collusion of earlier State respondents in illegal manner and at present he is filling soils on that land for own personal purpose. The land in question is public land as well as water reservoir (Talav). Prayer is also made to restrain the respondent no.5 for filling soils & Katchra by him into aforesaid land for his personal use.

(ii) For issuance of the appropriate writ/writs/direction/directions/order/orders, for which your lordship may deem fit and proper.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of six months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.



We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(S. Kumar, J)

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