

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24509 of 2018

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Bhagwan Sah Son of Late Bindeshwari Sah R/o Village-Kateyan, P.S.-Janta Bazar, Anchal-Lahladpur, District-Chhapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue, Government of Bihar, Patna
2. The District Magistrate Chhapra (Saran).
3. The Sub Divisional Officer Chhapra Sadar, District-Chhapra.
4. The Circle Officer Lahladpur, District-Chhapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar
For the Respondent/s : Mr.Partha Sarthi

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 07-01-2020 The petition filed on 17.12.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief/s:

“That the present writ application has been filed
by way of Public Interest Litigation for a
direction upon the Respondents concerned to
initiate a proceeding under Bihar Public Land
Encroachment Act against the persons who have



encroached the Public land recorded in record of right as Aam Gairmazarua land being used by common villagers as village Ponds for irrigation purpose and then use but despite having represented to all the concerned Respondents no action is being taken allowing the unscrupulous encroachers to make construction over the lands in question causing much inconvenience to the common villagers. ”

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 three 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)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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