

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7337 of 2020

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1. Kanji Lal Shah @ Keshav Lal Shah Son of Late Harishchandra Shah, Resident of Mauza-Pannapur, Naika Tola, P.O. and P.S.-Harsidhi, District-East Champaran.
 2. Rajeshwar Shah, Son of Late Harishchandra Shah, Resident of Mauza-Pannapur, Naika Tola, P.O. and P.S.-Harsidhi, District-East Champaran.
 3. Mahabir Shah, Son of Late Harishchandra Shah, Resident of Mauza-Pannapur, Naika Tola, P.O. and P.S.-Harsidhi, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The Additional Collector, East Champaran, Motihari.
4. The Sub Divisional Officer, Areraj, East Champaran, Motihari.
5. The Sub-Divisional Public Grievance Redressal Officer, Areraj, District-East Champaran, Motihari.
6. The DSP, Areraj, East Champaran, Motihari.
7. The Circle Officer, Harsidhi Block, District-East Champaran.
8. The Secretary of the Lokayukt, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Respondent/s : Mr.Kinkar Kumar SC-9

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 24-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.



Heard the parties.

Petitioners' counsel submits that he is incapacitated to challenge the order passed by Circle Officer, Harsidhhi East Champaran dated 02.06.2020 (Annexure 8 to the writ petition) in so far as the order /document forming basis of said notice under Form-2 has not been served on the petitioner .It is further submitted that he would be availing the remedy in respect of the directions issued by the Lokayukt, Bihar in a separate proceedings.

Learned counsel for the State submits that if the petitioners approaches the Circle Officer Harsidhhi East Champaran, the documents and orders which may be requisitioned by the petitioners shall be made available to them. The issue, therefore, is not required to be carried out any further. The petitioners would approach the Circle Officer, Harsidhhi Block, East Champaran (Respondent no.7) with an application for supplying the documents and order from the records of Encroachment Case No. 9 of 2020-2021. The Circle Officer, Harsidhhi Block, East Champaran (Respondent no.7) would be obliged to immediately grant the petitioners copies of the documents/orders from the records of Encroachment Case No. 9 of 2020-2021 within a period of one week from the date the



application is filed by the petitioners so as to approach the Collector under Section 11 of the Bihar Public Land Encroachment Act. It is needless to say that the order has been passed so as to enable the petitioners to avail the alternative remedy available under the Statute under which action has been taken. The Authorities would be obliged to decide the matter expeditiously.

The writ petition stands disposed off.

(Madhuresh Prasad, J)

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