

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24498 of 2019

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Ritesh Kumar Mishra Son of Sri Kaushlendra Mishra, Resident of Village-
Chakhabib, P.S. Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Samastipur.
2. The D.M. Samastipur.
3. The Dy. Collector Land Reform, Samastipur.
4. The Sub- Divisional Officer, Rosera, Samastipur.
5. The Circle Officer, Bibhutipur Block, Samastipur.
6. The Officer -In-Charge, Bibhutipur Police Station, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-01-2020 The petitioner alleges that encroachment has been caused over a public road in Village Chakhabib under Bhibhutipur Block under District of Samastipur. The land has been described as Khesra No. 4275, Thana No.41. The petitioner asserts that he has filed an application before the Circle Officer, Bibhutipur for initiation of a proceeding under Bihar Public Land Encroachment Act, 1956 but till date no action has been taken.

2. Considering the nature of relief, which the petitioner is seeking, this application is disposed of with an observation that the Circle Officer shall be required to take a



decision on the petitioner's application, if the same is pending.
The petitioner, additionally, shall be at liberty to approach the
Sub-Divisional Magistrate, Samastipur, if according to him, the
encroachment has been caused on a public road by referring to
the decision of this Court in case of **Sanjay Jha Vs. State of
Bihar and others** reported in **2016(1) PLJR 248**.

(Chakradhari Sharan Singh, J)

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