

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24690 of 2019

Arbind Singh @ Arbind Kumar S/o Late Kameshwar Singh R/o Village Gabai, P.S. Sheikhpura, Dist- Sheikhpura, Presently resided in front of Purani Bijli Office, Bypass Road Sheikhpura, P.S. and Dist- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Revenue Department, Govt. of Bihar, Patna.
2. The Dy. Secretary, General Administration Department, Govt. of Bihar, Patna.
3. The District Magistrate, Sheikhpura, P.S. and Dist- Sheikhpura.
4. The Sub Divisional Officer, Sheikhpura, P.S. and Dist- Sheikhpura.
5. The Circle Officer, Sheikhpura, P.S. and Dist- Sheikhpura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Dr. Anjani Pd. Singh, Advocate
For the Respondent/s	:	Mr. Sajid Salim Khan, S.C. 25 Mr. Arif Daula Siddique, S.C. to S.C. 25

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-01-2020 Heard learned counsel for the parties.

2. The petitioner has questioned the very initiation of proceeding for removal of encroachment from a public land on the ground that the land in question is not a public land over which he has right, title and interest, he had constructed a dwelling house. In my opinion, the writ petition is premature. The petitioner could have responded to the notice issued by the Circle Officer under Section 3 (2) of the Land Encroachment Act and could have taken the plea which he has taken in the present proceeding.



3. This writ application is thus disposed of with the observation that the petitioner shall be at liberty to pursue his case before the competent authority in accordance with the provisions of the Act.

(Chakradhari Sharan Singh, J)

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