

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24329 of 2019

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Vairagi Prabhash Kumar Chaturvedi, son of Pramod Shankar Chaubey,
Resident of village and P.O.- Unwas, P.S.- Itadhi, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate, District- Buxar.
3. The Sub-Divisional Officer, Buxar.
4. The Circle Officer, Itadhi, Buxar.
5. The Executive Engineer, Road Construction Department, P.W.D. Buxar.
6. Parshuram Dubey, son of Nand Kumar Dubey, resident of village and P.O.-
Unwas, P.S.- Itadhi, District- Buxar.
7. Daya Shankar Sah, son of Late Suraj Sah, resident of village and P.O.-
Unwas, P.S.- Itadhi, District- Buxar.
8. Sheo Shankar Sah, son of Late Shubhdayal Kanu, resident of village and
P.O.- Unwas, P.S.- Itadhi, District- Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Satyendra Rai
For the Respondent/s : Mr.Md. Khursid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-01-2020 Heard learned counsel for the parties.

2. The petitioner has a grievance that private Respondent Nos. 6 to 8 have encroached upon a land of the Road Construction Department (PWD) appertaining to Thana No. 255, Khata No. 262, Khesra No. 1218 in Mauza Unwas in the District of Buxar.

3. This writ application has been filed seeking a direction to the respondents to remove the



encroachment by initiating a proceeding under Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act'). It has been stated in the writ application that the petitioner though has approached the Circle Officer, Itadhi, no decision has been taken so far inasmuch as no proceeding has been initiated. The petitioner is said to have approached the Public Grievance Redressal Officer, Buxar under the Bihar Public Grievance Redressal Act, 2015. It is the petitioner's grievance that despite an order passed by the Public Grievance Redressal Officer, no action has been taken.

4. Considering the facts and circumstances of the case, this application is disposed of with a direction to the Circle Officer, Itadhi to examine all the facts as noted above, as if he is of the view that the land in question, is a public land, which has been encroached upon, he shall be duty bound to initiate a proceeding under the Act and conclude it within two months from the date of receipt/production of a copy of this order.

5. Let a copy of this order be presented by the petitioner before Sub-Divisional Officer, Buxar and the District Magistrate, Buxar, who shall ensure that



encroachment, if any, caused on public land is removed,
in accordance with law.

(Chakradhari Sharan Singh, J)

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