

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22726 of 2018

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Shyamlal Mahto Son of Late Rama Mahto, Resident of Village- Nipania, P.S.-
Isuapur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Saran at Chapra.
2. The District Magistrate, Saran at Chapra.
3. The Circle Officer, Isuapur Block, Saran.
4. Satyadeo Prasad, Son of Late Vishwakarma Prasad @ Vishwakarma Sah,
Resident of Village- Nipania, P.S.- Isuapur, District- Saran.
5. Arjun Das, Son of Ram Ayodhya Das, Resident of Village- Nipania, P.S.-
Isuapur, District- Saran.
6. Bhagirath Das, Son of Late Gauri Das, Resident of Village- Nipania, P.S.-
Isuapur, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Respondent/s : Mr. Partha Sarthi -GA-4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 28.11.2018 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:

“(I) To command and direct the Respondent-
Authorities to remove the encroachment from the
Gairmazarua Aam land pertaining to Khata No.



245, Survey No. 1751, 1752 and 1753, Area-3 Bigha, 8 Katha and 11 Dhur of village-Nipania, Block-Isuapur, District-Saran in which pond and part of the pond (Bhinda) is situated.

(II) To grant any other relief(s) to which the petitioner would be found entitled in the facts and circumstances of the case.”

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)

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