

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1295 of 2020

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Sikandar Kumar @ Sikandar Prajapati@Sikandra Prjapati son of Budhu Prajapati, resident of Village- Amalpura, P.O.- Kauri Ram, P.S. Mohaniya, District- Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Reforms and Revenue, Patna.
2. The District Magistrate, Kaimur at Bhabua.
3. The Sub- Divisional Magistrate, Mohania.
4. The Circle Officer, Mohania.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-01-2020 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:

“(i) For issuance of an appropriate writ(s), order(s) or direction(s) to the respondents to remove the encroachment from Government land which is public Rasta and inquiry has been made in that regard whereby it was found that in Mauza- Amarpura some persons have encroached the public land, but no action has been taken in this regard.

(ii) For issuance of an appropriate writ(s), order(s), direction(s) to the respondents to take



appropriate action against erring officers who are in league with the encroachers of Government land and even by direction issued by the Principal Secretary of the Department for removal of encroachment from Government land, no action has been taken by the SDO, Mohania and C.O., Mohania in this regard for removal of encroachment from Khata No. 230 and 231 in Mauza-Amarpura is public Rasta.

(iii) To pass such other order(s) as your Lordships may deem fit and proper in the facts and circumstances of this 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)

sujit/-

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