

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3182 of 2021

Shiv Kumar Sah @ Shiv Kumar Sahu @ Shiv Kumar S/o Bhuvan Sahu, R/V-
Mansara, P.S.-Jamalpur, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The District Magistrate, Darbhanga.
3. The Senior Superintendent of Police, Darbhanga.
4. The Departmental Public Grievance Redressal Officer, Rural Development, Darbhanga.
5. The Sun Divisional Officer, Biraul, Darbhanga.
6. The Circle Officer, Goraburam, District-Darbhangha.
7. The Inspector cum S.H.O. Jamalpur Police Station, Darbhanga.
8. Sujit Kumar Giri, S/o Siheshwar Giri, R/V-Mansara, P.S.-Jamalpur, District-Darbhangha.
9. Devendra Sahu, S/o Ram Sagar Sahu, R/V-Mansara, P.S.-Jamalpur, District-Darbhangha.
10. Sulendra Sah, S/o Ram Sagar Sah, R/V-Mansara, P.S.-Jamalpur, District-Darbhangha.

... .. Respondent/s

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Adv
For the Respondent/s : Mr.Anjani Kumar AAG-4

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 29-06-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“That by way of writ application petitioner
seeks indulgence of this Hon’ble Court for issuance of



an appropriate writ/order/direction in nature of Mandamus commanding upon the respondents to remove the Encroachment over the public land/public Temple Land in question which has been hut etc in accordance with law in situated at Mauza-Mansara, Thana No.-419, P.S Jamalpur, District Darbhanga in Khata No. 637, Khesara No. 1054 & 1055 I spite of the fact that Encroacher were directed by order dated 19.1.2019 in complaint case No. 513310131081802609 passed by the Departmental Public Grievance Redressal Officer, Rural Development, Darbhanga.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the **Circle Officer, Goraburam, Darbhanga**, to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-



(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) 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;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All



issues are left open;

(h) The proceedings, during the time of current Pandemic-Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

