

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10765 of 2020**

Pradeep Jha S/o Sudeshwar Jha R/o 5, Gali No.12, Prasant Enclave, P.S.-  
Bapraula, West Delhi 110043 also resides at Village- Bela, Block Babubarhi,  
District- Madhubani, Bihar- 847224.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary.
2. The Principal Secretary, Department of Home, Government of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Old Secretariat, Patna.
4. The Director General of Police, Bihar, Patna.
5. The District Magistrate, Madhubani.
6. The Deputy Collector, Land Reforms, Madhubani.
7. The Circle Officer, Babubarhi, District Madhubani.
8. The Land Acquisition Officer, Babubarhi, District- Madhubani.
9. The Station Head Officer, Babubarhi, District- Madhubani.
10. Udeswar Jha S/o Late Mangal Jha Resident of Village- Bela, Block- Babubarhi, District- Madhubani, Bihar- 847224.
11. Govind Jha S/o Late Bowajee Jha Resident of Village- Bela, Block- Babubarhi, District- Madhubani, Bihar- 847224.
12. Badri Narayan Jha S/o Abhikant Jha Resident of Village- Bela, Block- Babubarhi, District- Madhubani, Bihar- 847224.
13. Laxmi Narayan Mishra S/o Gunand Mishra Resident of Village- Bela, Block- Babubarhi, District- Madhubani, Bihar- 847224.
14. Badan Kumar Jha S/o Late Bowajee Jha Resident of Village- Bela, Block- Babubarhi, District- Madhubani, Bihar- 847224.

... .. Respondent/s

**Appearance :**

|                      |   |                                                                       |
|----------------------|---|-----------------------------------------------------------------------|
| For the Petitioner/s | : | Mr.Aryan Sinha,<br>Mr. Ravi Kumar,<br>Mr. Pneet Siddhartha, Advocates |
| For the Respondent/s | : | Mr. Prasant Pratap, GP 2                                              |

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE S. KUMAR**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE S. KUMAR)**

**(The proceedings of the Court are being conducted through  
Video Conferencing and the Advocates joined the proceedings**



**through Video Conferencing from their residence.)**

**Date : 22-06-2021**

Heard learned counsel the parties.

Petitioner has prayed for following relief:-

“The instant writ application is being preferred in the Public Interest with a prayer for issuance of writ in nature of Mandamus for commanding and directing the Respondent Authorities

(a) To take an immediate and appropriate action to remove the illegal encroachment done by the Respondent No. 9 to 13 on the public land pertaining to Khata No. 496, Khesra No. -3280 and having area of 2 Katha 6 Dhoor situated at Village – Bela, Anchal – Babubarhi, District – Madhubani.

(b) To other any reliefs which may be granted in the facts and circumstances of the case.”

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 authority concerned 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)**

Sanjay/-

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|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
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