

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10648 of 2020

Pratik Raj, Son of Randhir Kumar, resident of village- Arap, P.S.- Bikram,
District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate-cum-Collector Patna.
3. The Circle Officer, Bikram, District- Patna.
4. Ram Kumar Singh Son of Kapildeo Singh resident of village- Arap, P.s.-
Bikram, District- Patna.
5. Nageshwar Singh Son of Late Shiv Bihari Singh resident of village- Arap,
P.s.- Bikram, District- Patna.
6. Dinesh Singh Son of Rajeshwar Singh resident of village- Arap, P.s.-
Bikram, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate
For the Respondent/s : Mr. Khurshid Alam, AAG 12

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

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

Date : 21-06-2021

Heard the parties.

Petitioner has prayed for following relief(s):-

(i) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the respondent authorities particularly respondent Circle Officer to conclude the proceeding of land Encroachment Case No. 01/2014-15 which has been initiated against respondent 2nd set who have encroached Aam Rasta appertaining to Khata No. 172, Khesra No. 1695,



area 9 decimal which is in the nature of Gairmazarua Malik and as per Khatiyani Gairmazarua Aam situated in Village-Arap, P.S.- Bikra, District-Patna.

(ii) Further for direction to the respondent 1st set to take coercive action against respondent 2nd set for removal of alleged encroachment which has been made/encroached by respondent 2nd set appertaining to Khata no. 172, Khesra no. 1695, area 9 decimal which is in the nature of Gairmazarua Malik.

(iii) Further for issuance of any other writ/writs, direction/directions, order/orders for which petitioner shall be found entitled under 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)

veena/rajiv-

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

