

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10844 of 2020**

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Md. Lal Babu, Son of Md. Samiullah Resident of Village-Gad Bahuari,  
Parsauna, P.O. and P.S.-Jaitapur Laukariya, District-East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Director, Land Record and Survey, Govt. of Bihar, Patna.
4. The District Magistrate (D.M.), Motihari, East Champaran.
5. The Deputy Collector, Land reforms, Motihari, East Champaran.
6. The D.C.L.R. Motihari, East Champaran.
7. The S.D.O., Raxaul East Champaran.
8. The Circle Officer (C.O.), Raxaul, East Champaran.

... .. Respondent/s

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**Appearance :**

|                      |   |                                                                         |
|----------------------|---|-------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr.Samir Kumar<br>Mr. Saurav Singh<br>Mr. Ankit Kumar Gautam, Advocates |
| For the Respondent/s | : | Mr. Khurshid Alam, AAG12                                                |

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**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 for the parties.

The petitioner prays for following reliefs:-

“(i) For issuance of an order, direction or writ  
in the nature of Mandamus commanding the  
Respondents to vacate the encroached land bearing  
Khata No. 200, Khesra No. 1219 & Rakba 1.14 dhur,



this land is being used as Road by the public.

(ii) Any other relief or reliefs to which the petitioner is found entitled to 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         |
| Uploading Date    | 25.06.2021 |
| Transmission Date | NA         |

