

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.581 of 2021

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Rani Devi Wife of Shankar Das, Resident of Ward No. 17, Village - Pranpura,
P.O.- Mukhtarpur Salkhani, P.S. Dalsinghsarai, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land Revenue Department, Government of Bihar, Patna.
2. The Secretary, Land Revenue Department, Government of Bihar, Patna.
3. The District Magistrate-Cum-District Collector, Samastipur.
4. The Sub-Divisional Officer, Dalsinghsarai, Samastipur.
5. The Deputy Collector Land Reform (DCLR), Dalsinghsarai, District - Samastipur.
6. The Circle Officer, Dalsinghsarai, District - Samastipur.
7. The Station House Officer (SHO), Dalsinghsarai, Samastipur.
8. Md. Mustaqe Khan, Son of Md. Taslim, Resident of Ward No. 17, Village - Pranpura, P.O.- Mukhtarpur Salkhani, P.S. Dalsinghsarai, District - Samastipur.
9. Kapindra Das, Son of Late Ramashish Das, Resident of Ward No. 17, Village - Pranpura, P.O.- Mukhtarpur Salkhani, P.S. Dalsinghsarai, District - Samastipur.
10. Binod Das, Son of Late Ramashish Das, Resident of Ward No. 17, Village - Pranpura, P.O.- Mukhtarpur Salkhani, P.S. Dalsinghsarai, District - Samastipur.
11. Upendra Das, Son of Late Ramashish Das, Resident of Ward No. 17, Village - Pranpura, P.O.- Mukhtarpur Salkhani, P.S. Dalsinghsarai, District - Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brisketu Sharan Pandey, Advocate
For the Respondent/s : Mr. A.C. to A.G.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 03-03-2021

This writ petition in nature of public interest
litigation has been filed for removal of encroachment made on



public land appertaining to Khata No.1644, Mouza/Village Mukhtarpur, Salkhani, thana No.103, Khesra No.10039, Ward No.17, P.S. Dalsinghsarai, District, Samatipur. It is further submitted that on public protest, a measurement was made by Halka Karamchari and submitted to Circle Officer which confirmed the encroachment.

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 filing for redressal of the grievance(s).

State has no objection to the same.

As such, petition is disposed of in the following terms:

The petitioner shall file a representation before the authority concerned within a period of four weeks.

The concerned respondent is directed to consider and decide such representation expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

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.

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

Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits of the case.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.03.2021
Transmission Date	NA

