

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17264 of 2021

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Md. Jamaluddin @ Md. Jamaluddin Miyan, Son of Late Samsuddin Resident of Village Sungarish, P.O. Punaul, P.S. and Anchal - Gurua, District- Gaya (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Joint Consolidation Director, Magadh Division, Gaya.
3. The District Magistrate, Gaya.
4. The Additional Collector - Cum - First Appellate Authority, Public Grievance Redressal Forum, Gaya.
5. The S.D.O. - cum - Public Grievance Redressal Officer, Sherghati, District- Gaya.
6. The Circle Officer, Gurua, District- Gaya.
7. Abdul Aziz Ansari
8. Abdul Azami Uddin Ansari
9. Md. Reyazuddin Ansari
All sons of Late Tahir Miyan
10. Md. Samsuddin Miyan
11. Md. Gayasuddin Miyan
Both sons of Late Nathun Miyan
12. Md. Safik Ahamad Son of Late Shaukat Ali
13. Md. Washir Uddin
14. Md. Mohiuddin
15. Md. Alauddin
16. Salauddin Miyan
All sl. no. 13 to 16 are sons of Late Rafik Miyan
All are residents of Village - Sungarish, P.O. - Punaul, P.S. - Gurua, District - Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam (Aag12)

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



Date : 04-10-2021

Petitioner has prayed for the following relief:

- i) For issuance of an appropriate writ, order or direction to remove the encroachment from the public land appertaining to Khata No. 85, Plot No. 12, area 1 acre in Mauza: Sugarish under the Anchal- Gurua, District: Gaya, which is Aam Rasta used for going to Primary School, Sugarish.
- ii) For setting aside the order dated 22.07.2010 passed by the Joint Director of Consolidation, Magadh Division, Gaya in Revision Case No. 268/2008 directing to necessary correction on chak register and prepared the khatian in the name of private respondents no. 7 to 16, who are the encroachers of the public Aam Rasta bearing Plot No. 12 and illegally entered their name in the chak register, whereas the said land is recorded as 'Anabad Bihar Sarkar' used for Aam Rasta to go the Primary School, Sungarish.
- iii) Further to set aside the order dated 02.02.18 passed by the Chairman, Bihar Land Tribunal, Patna in B.L.T. Case No. 883 of 2017 directing the petitioners to seek legal remedy available to them.
- iv) For any other relief or reliefs as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

Learned counsel for the petitioner, under instructions,
seeks permission to withdraw the present petition reserving



liberty to approach the appropriate forum in accordance with law.

Permission granted.

The petition stands disposed of with the liberty aforesaid.

Interlocutory application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Rajiv

AFR/NAFR	
CAV DATE	
Uploading Date	06.10.2021
Transmission Date	

