

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18702 of 2018

Sri Ram Sah S/o Hira Sah Resident of Village Nawanagar, P.S. Nawanagar,
District - Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Buxar.
3. The Anchal Adhikari, Nawanagar, District Buxar.
4. The Anchal Amin, Nawanagar, District Buxar.
6. Md. Liyaquat Ali S/o Shaukat Ali Resident of Village Nawanagar, P.S. Nawanagar, District - Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Syed. Rizwanul Haque, Advocate
For the Respondent/s : Mr.Sajid Salim Khan, Standing Counsel-25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-09-2022 The present writ petition has been filed seeking the following reliefs:-

“1. That this writ application is being filed for issuance of an appropriate writ, order or direction including a writ in the nature of mandamus commanding and directing the respondents concerned to direct the petitioner and respondent no. 6 to demolish/remove the construction/encroachments made over the public land, in terms of the order as contained in letter under Memo No. 30 dated 10.01.2015 (Annexure-1) issued under the signature of the respondent Anchal Adhikari, wherein it has been stated that on the complaint petition filed by the petitioner in Janta darbar, spot enquiry/verification had been made by the Halka Karamchhari, and from perusal of the enquiry report of the Halka Karamchhari as well as the Measurement Report of the Anchal Amin, it is



clear that the petitioner has encroached upon an area of 15 X 5 kari by constructing a brick-built room on the Gair Mazarua Aaam land of Plot No. 1894 pertaining to Khata No. 767 and Respondent No. 6 has also encroached upon an area of 20 X 2 Kari by constructing a Chabutra (platform) on the Gair Majarua Aam land of the same Plot No. 1894 and Khata No. 767, hence, they are informed that the encroachment must be removed from the said Gair Mazarua Aam Land and/or by way of alternative remedy, the aforesaid letter under Memo No. 30 dated 10.01.2015 (Annexure-1) may be quashed as the same is illegal because it has been issued only against the petitioner while both the parties have encroached upon the Gairmajarua Aam land of the said plot.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Nawanagar, District-Buxar for redressal of his aforesaid grievances.

Liberty so sought is granted.

The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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