

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21780 of 2018

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Ali Azam Son of Late Moinuddin, Resident of Goabari, Ward No.16, P.S.-
Bahadurganj, District-Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate, Kishanganj, District-Kishanganj.
3. The Sub Divisional Officer, Kishanganj, District-Kishanganj.
4. The Circle Officer, Bahadurganj, District-Kishanganj.
5. The Executive Officer, Bahadurganj Nagar Panchayat, District-Kishanganj.
6. The Officer-in-Charge, Bahadurganj Police Station, District-Kishanganj.
7. Anwaar Alam, Son of Late Naimuddin, Resident of Goabari, Ward No.16,
P.S.-Bahadurganj, District-Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rashid Izhar, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha Standing Counsel-19 Manoj Kr. Sinha, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-09-2022 The present writ petition has been filed seeking the
following reliefs:-

“I. Issuance of writ or writs in the nature of Mandamus commanding the Respondents to remove the encroachment and nuisance from plot no. 286 of Khata No. 84 of Village- Goabari, Ward No. 16, Circle Office- Bahadurganj, District- Kishanganj wherein an illegal Khatal is established by Private Respondent No. 7 and in defiance of the civic law has caused nuisance to the small children of the Primary School of the village, Anganbari Kendra and the villagers in general.

II. For issuance of writ or writs of Mandamus commanding the Respondents to remove the nuisance of animal extracts causing health hazard and nuisance to the villagers, children of the school



and the ladies visiting Anganbari Kendra of Village-Goabari.

III. Issuance of such other direction or directions to the Respondents authorities to take appropriate punitive action against the Respondent No. 7 and get the locality of the village cleaned up from the unauthorised running of Cattle shed/ Khatal.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Bahadurganj, District-Kishanganj for redressal of his aforesaid grievance.

Liberty so sought is granted.

It is needless to state that in case the petitioner approaches the Circle Officer, Bahadurganj, District-Kishanganj by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks from today, the same shall be considered, in accordance with law and after hearing the affected parties, appropriate orders shall be passed thereon, forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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