

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23665 of 2018

Shivnath Rai S/o Late Ram bahadur Rai R/o of Ganichak Bans Ke,
Baikathpur, P.S-Khushrupur- Dist-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Home, Bihar, Patna.
2. The Principal Secretary, Department of Home, Bihar, Patna
3. The District Magistrate, Patna.
4. The Sub-Divisional Officer, Patna City,
5. The Circle Officer, Khushrupur Block, District Patna
6. The S.H.O., Khushrupur Block, District-Patna,
7. Swarath Paswan, Son of late Fagu Paswan, Son of Late Fagu Paswan
8. Shivji Paswan, Son of late Fagu Paswan, Son of Late Fagu Paswan
9. Upendra Prasad, Son of Batto Paswan, Respondent No.7 to 9 are resident of Mosimpur, Bans ke Tal Ch Son of Batto Paswan, Respondent No.7 to 9 are resident of Mosimpur, Bans ke Tal Chauraha, P.S - Khushrupur, District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Respondent/s : Mr.Bishwa Bibhuti Kumar Singh, AC to AG

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-09-2022 The present writ petition has been filed seeking the following reliefs:-

“I. For direction to State Respondent to remove the encroachment of the land which is Aam Rasta belongs to P.W.D. situated under Thana No. 135, Mauza – Baikatpur, Government Land Southern side of old N.H. 30, which has been encroached by the respondents No. 7 to 9 by constructing/stairs etc over the land of Aam Rasta as mentioned above.



II. For further to direct the State Respondents to take legal action against the encroacher who are respondent No. 7 to 9 have illegally encroached the Aam Rasta.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Khushrupur, District-Patna 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, Khushrupur, District-Patna 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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