

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3442 of 2020

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Sharwan Kumar Bhagat Son of Late Ram Chritra Bhagat, Residence of Village- Temtha, Lenin Nagar, P.S. Parbata, District- Khagari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land and Revenue, Government of Bihar, Patna.
2. The District Magistrate- cum-Collector, Khagaria.
3. The Superintendent of Police, Khagaria.
4. The Sub Divisional Magistrate, Gogri, Khagaria.
5. The Subdivisional Police Officer, Gogri, Khagaria.
6. The Circle Officer, Gogri, Khagaria.
7. The Station House Officer, Parbatta Police Station, Khagaria.
8. Yogendra Sah, Son of Phaudi Sah, residence of Village Mojahidpur, P.S. Parbata, District - Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar Singh, Adv.
For the Respondent/s	:	Mr.Md. Ebadur Rahman Shakeb, AAG-12
For Respondent no.8	:	Mr. Anil Kumar Chaudhary, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-09-2022 The present writ petition has been filed seeking the following relief:-

“1. That by way of this writ petition the petitioner craves indulgence of this Hon’ble Court for the issuance of a writ in the nature of Mandamus or an appropriate writ, order or orders, direction or directions, commanding the respondent authorities to remove the encroachment upon the public road as well as Government land appertaining to Khesra No.- 34, Khata No.- 11, situated in Mauza – Rahimpur, Parbatta, District Khagaria, which is



recorded as Gair Mazarua Khas and used as public road since long, but presently some constructions like hut has been made upon the said public land by the private respondents, and the petitioner also prays for other consequential reliefs.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Gogri, District - Khagaria for redressal of his aforesaid grievances. Liberty so sought is granted.

It is needless to state that in case the petitioner approaches the Circle Officer, Gogri, District - Khagaria, by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of 4 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)

Tiwary/Saurav

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