

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5957 of 2021

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Awadhesh Kumar Sinha Son of Late Aklu Sinha Presently resident of Village/Mohalla- House No.31, Durga Shankar Road, Sirhiya Ghat, P.S.- Kotwali, District- Gaya, Bihar, Permanently at Village- Rasalpur, P.S.- Mufassil, District- Gaya, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Gaya.
2. The District Magistrate, Gaya.
3. The Circle Officer, Manpur, Gaya.
4. The Sub Divisional Officer, Sadar, Gaya.
5. The Deputy Collector, Land Revenue, Sadar, Gaya.
6. The Sub Divisional Public Grievance Redressal Officer, Gaya Sadar, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Avinash Kumar Singh
For the Respondent/s : Mr.Lalit Lishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-09-2022 The present writ petition has been filed seeking the following reliefs:-

“(i). For issuance of an appropriate writ or writs, order or orders, direction or directions to the respondents particularly respondent no. 3 to expeditiously and in time bound manner rid the public lands described as plot no. 470, 501, 504 situated at Khata No. 183/184 of Thana No. 288 and Plot Nos. 387, 388 & 389 situated at Khata No. 183/184 in Thana No. 288 and Plot No. 161, 170, 174, 264 in Khata No. 183 and



Plot No. 172, 139, 147, 149, 246, 255, 263, 268, 274, 283, 363 & 171 at Barahkurwa Kita, village-Rasalpur, Block & Circle-Manpur, Gaya from all encroachments. And

(ii) Further for issuance of appropriate writ/s, order/s, direction/s to the respondent authorities particularly Respondent No. 3 to initiate and dispose of appropriate legal proceedings against illegal encroachment and enroachers of public land described as Plot No. 470, 501, 504 situated at Khata No. 183/184 of Thana No. 288 and Plot No. 387, 388 & 389 situated at Khata No. 183/184 in Thana No. 288 and Plot No. 161, 170, 174, 264 in Khata No. 183 and Plot No. 172, 139, 147, 149, 246, 255, 263, 268, 274, 283, 363 & 171 at Barahkurwa Kita, Village-Rasalpur, Block & Circle-Manpur, Gaya in a time bound manner. And

(iii) Further for direction to respondent authorities to restore the public lands, mentioned hereinabove, in its original form and use which has been encroached and is being used for private purposes causing obstruction in not only irrigation but also commuting



to the extent of effectively denying the right of way to the petitioner and others.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Manpur, Gaya i.e. the Respondent No. 3 by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, for redressal of the aforesaid grievances of the petitioner. Liberty, so sought, is granted.

The writ petition stands disposed of.

(Mohit Kumar Shah, J)

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