

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3390 of 2020

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Jang Bahadur Prasad @ Jang Bahadur Ravat Son of Late Gurucharan Ravat
@ Late Gurucharan Raut Resident of Village Shripur, P.S.- Sahajitpur, Anchal
Baniyapur District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Principal Secretary Revenue and Land Reforms Department,
Government of Bihar, Patna.
3. The District Magistrate Saran, Chapra.
4. The Land Reforms Deputy Collector Sadar, Chapra.
5. The Circle Officer Baniyapur, Saran.
6. The Bhikhari Singh Son of Late Bharat Singh Resident of Village Shripur,
P.S.- Sahajitpur, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Respondent/s : Mr.Subash Chandra Yadav (Gp15)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-09-2022 The present writ petition has been filed for quashing the order dated 13.1.2020, passed by the Circle Officer, Baniyapur, Saran whereby and whereunder the petitioner has been directed to remove encroachment made by him over plot appertaining to Khesra No. 1891, Rakwa 0-6-4-0, in compliance of the direction of the Second Appellate Authority-cum-Collector, Saran at Chhapra, passed in Case No. 517110114061901555/2A, issued on 24.11.2019.



Admittedly, the Second Appellate Authority-cum-Collector, Saran at Chhapra has got no authority under the provisions of the Bihar Right to Public Grievance Redressal Act, 2015, to direct for removal of encroachment, hence, the impugned notice dated 13.1.2020, issued by the Circle Officer, Baniyapur, Saran is palpably illegal, hence, the same is quashed.

The writ petition stands allowed, however, liberty is reserved to the Circle Officer, Baniyapur, Saran to proceed afresh, in accordance with law.

(Mohit Kumar Shah, J)

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