

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6081 of 2021**

=====

Gyaneshwar Roy Son of Singeshwar Roy, resident of Village - Mandar Deru,  
P.O. Dhoraiya, P.S. - Dhoraiya, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Sub-Divisional Officer-Cum-Public Complain Redresal Officer, Sub-Division, Banka, District- Banka.
3. The Circle Officer, (Anchaladhikari), Dhoraiya, District- Banka.
4. Rameshwar Tatwa, Son of not known, resident of Village and P.O. Dhoraiya, District - Banka.
5. Jamun Sah, Son of not known, resident of Village - Dhoraiya, (Warkop Deru), P.O. and P.S. Dhoraiya, District - Banka.
6. Siri Poddar, Son of not known, resident of Village - Dhoraiya, P.O. and P.S. Dhoraiya, District - Banka.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate  
For the Respondent/s : Mr.Lalit Kishore (Ag)

=====

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      14-09-2022      The present petition has been filed seeking the following reliefs :-

*“(i) For issuance of a writ in the nature of certiorari to quash the order dated 17.11.2020 passed by Sub-Divisional Officer, Banka as contained in Annexure-4 by which petitioner claim for removal of encroachers (respondents no. 5, 6, and 7) from the lands of P.W.D. has been rejected.*

*(ii) For issuance of writ in the nature of Mandamus commanding and directing the respondents to remove the encroachers from*



*the lands of P.W.D. so that petitioner not go to his land easily from the road.”*

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Dhoraiya, Banka 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, Dhoraiya, Banka 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, without being prejudiced by the order dated 17.11.2020, passed by the Sub-Divisional Officer, Banka in Case no. 523110107012003595.

The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

rinkee/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

