

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4015 of 2020

Sanjay Kumar Kushwaha son of Dahari Prasad Kushwaha, resident of
Village- Bhawanipur, Choudhary Tola, P.s.- Sangrampur, District- East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, East Champaran, Motihari
3. The District Collector, East Champaran, Motihari
4. The Circle Officer, Sugauli, East Champaran, Motihari
5. The Officer-in-Charge, Sangrampur P.S., East Champaran,
Motihari
6. Ram Chandra Das Son of Bansi Das resident of village-
Bhawanipur, P.s.- Sangrampur, District- East Champaran
7. Jodha Das Son of Ram Chandra Das resident of village-
Bhawanipur, P.s.- Sangrampur, District- East Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.
For the Respondent/s : Mr.Subash Chandra Yadav, GP-15

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-09-2022 The present writ petition has been filed seeking the
following relief:-

“1. That this is an application for issuance of an appropriate writ, order or direction, particularly in the nature of Mandamus, directing to the respondent authorities for removing the encroachment from the Gairmajarua land pertaining to Khata No. 684, Khesra No. 3844, area 0.02 decimal situated at Sangrampur village,



East Champaran which has been encroached by the private respondent no. 6 & 7. After the inquiry report, an order dated 13.07.11 has been passed by the learned Sub-divisional Magistrate, Areraj, East Champaran directing the Circle Officer, Sangrampur, East Champaran and Officer-in-charge, Sangrampur P.S. to remove the encroachment from the said land and submit the report. But till date the encroachment has not been removed.

Further be pleased to direct the respondent authorities to dispose off the representations filed by the petitioner and direct them to comply the order dated 13.07.2011 passed by the learned S.D.M., Areraj, East Champaran immediately.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Sugauli, District East Champaran, Motihari, 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, Sugauli, District East Champaran, Motihari, 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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