

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8418 of 2021

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Laxmi Prasad son of late Manulal Sah resident of Village Saraiya, P.S. Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. Director Land Records, Government of Bihar, Patna.
4. District Magistrate, East Champaran at Motihari.
5. Anchal Adhikari, Madhuban, District East Champaran.
6. Harif Rai son of late Babulal Rai resident of Village Saraiya, P.S. Madhuban, District East Champaran.
7. Guddu Rai son of Harif Rai resident of Village Saraiya, P.S. Madhuban, District East Champaran.
8. Lalan Rai son of Harif Rai resident of Village Saraiya, P.S. Madhuban, District East Champaran.
9. Manoj Rai son of Harif Rai resident of Village Saraiya, P.S. Madhuban, District East Champaran.
10. Ashok Rai son of Guddu Rai resident of Village Saraiya, P.S. Madhuban, District East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-09-2022 The present petition has been filed seeking the following relief :-

“(i) To issue a writ of Mandamus or any other writ or writs, direction or directions, commanding upon the respondents to remove the encroachment made by private respondents no. 6 to 10 over public lands i.e.



cremation ground (Samsan Ghat) where the petitioner and public in general since very long time used to cremate the dead body but the respondent no. 6 to 10 have encroached the same. The details of the land is given in para 4 of the writ application and they have began to cultivate the said land forcibly.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Madhuban i.e. respondent no. 5 for redressal of his aforesaid grievance. Liberty so sought, is granted.

It is needless to state that in case, the petitioner approaches the respondent no. 5 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.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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