

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8834 of 2021

1. Binod Kumar Yadav Son of Late Heeralal Prasad Yadav, Resident of Village- Sukhashan, P.O.- Aran, Police Station- Saharsa, District- Saharsa.
2. Raj Narayan Yadav @ Rajendra Yadav Son of Late Ramji Yadav, Resident of Village- Sukhashan, P.O.- Aran, Police Station- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Deputy Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
4. The District Magistrate, Saharsa.
5. The Sub Divisional Magistrate, Sadar Saharsa, District- Saharsa.
6. The Circle Officer, Satarkataiya, District- Saharsa.
7. The District Registrar (Nibandhan), District- Saharsa.
8. Md. Saphul Son of Late Md. Taslim, resident of Village- Sukhasan, P.O.- Aran, District- Saharsa.
9. Rukhsana Khatoon Wife of Md. Saphul, resident of Village- Sukhasan, P.O.- Aran, District- Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shree Kant Pandey, Adv.
For the Respondent/s	:	Mr.Lalit Kishore, AG

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-09-2022 The present writ petition has been filed seeking the following relief:-

“1. That this is an application for issuance of a Writ in the nature of Mandamus, directing and commanding the respondent authorities to get the



encroachment remove from the Public Land/Road, which is recorded in Khatiyani (Old and New) as “Gair Majarua Aam Land/Road” which is used for Mela, Taziya as well as Social function of Villagers with public road bearing Khata No. 161, Khesra No. 1099, Mouza- Bhelwa Sukhashan, Thana No. 177, Block Satarkataiya District- Saharsa (bearing total Area-7acre, 14 decimal and 10 dhur) in which 15 Katha encroached by Respondent No. 8 and 9, which is clear from C.O. Satarkataiya Report as well as Karamchhari report, but respondent No. 4 i.e., District Magistrate, Saharsa not took any action, although representation pending before him and or pass appropriate order or orders as deem fit and proper.”

At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the Circle Officer, Satarkataiya, District- Saharsa for redressal of their aforesaid grievances. Liberty so sought is granted.

It is needless to state that in case the petitioners approaches the Circle Officer, Satarkataiya, District- Saharsa, 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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