

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5310 of 2022

Angad Prasad S/o Late Jagarnath Mahto, Resident of Village-
Avraiya, Shiv Tola, Ward No. 09, P.S.- Bettiah Muffasil
(Banuchhapar O.P.), Dist.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-cum- District Magistrate, West Champaran at Bettiah.
2. The Collector-cum- District Magistrate, West Champaran at Bettiah.
3. The Additional Collector, 1st, Bettiah, West Champaran.
4. The Sub- Divisional Officer, Bettiah Sadar, Bettiah, Dist.- West Champaran.
5. The Circle Officer, Chanpatia Block, Chanpatia, District- West Champaran.
6. The Superintendent of Police, Bettiah, West Champaran.
7. The Officer-in- Charge, Bettiah Muffasil (Banuchhapar O.P.), Police Station, Bettiah, District- West Champaran.
8. Shekh Aftab S/o Late Shekh Gazi, Resident of Village- Avraiya, P.S.- Bettiah Muffasil (Banuchhapar O.P.), Dist.- West Champaran.
9. Shekh Afroj S/o Late Shekh Gazi, Resident of Village- Avraiya, P.S.- Bettiah Muffasil (Banuchhapar O.P.), Dist.- West Champaran.
10. Lalan Mahto S/o Late Sitaram Mahto, Resident of Village- Avraiya, P.S.- Bettiah Muffasil (Banuchhapar O.P.), Dist.- West Champaran.
11. Bishun Mahto S/o Late Sitaram Mahto, Resident of Village- Avraiya, P.S.- Bettiah Muffasil (Banuchhapar O.P.), Dist.- West Champaran.
12. Shekh Zamir S/o Late Shekh Khalil Resident of Village- Avraiya, P.S.- Bettiah Muffasil (Banuchhapar O.P.), Dist.- West Champaran.
13. Osian Khatun W/o Late Shekh Akbar, Resident of Village- Avraiya, P.S.- Bettiah Muffasil (Banuchhapar O.P.), Dist.- West Champaran.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-11-2022 The present writ petition has been filed seeking the following relief:-

“I) To remove all encroachment done by the private respondents over a piece of Gair Majarua Land (Public Road) appertaining to khata no. 407, plot no. 1376 falling within Auraiya Mauza of Chanpatia Block of West Champaran District as the land in question is a public road connecting Lalgarh Mission to Auraiya Chowk.

II) To hold that the aforesaid land is a public road and the same has been encroached upon by the private respondents in an illegal manner.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Chanpatia Block, Chanpatia, District- West Champaran 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, Chanpatia Block, Chanpatia, District- West Champaran 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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