

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9889 of 2021

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Bechan Chaudhary Son of Late Shuve Chaudhary, Resident of Vilalge-Satrupatti Ward No. 10, P.S.-Ghoghardiha, P.O.-Sarauti, District -Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Land Reforms Department, Govt of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. That Sub-Divisional Officer, Phulparas, Madhubani
4. The Land Reforms Deputy Collector, Phulparas, Madhubani.
5. Sub-Divisional Public Grievance Redressal Cell Officer, Phulparas, Madhubani.
6. The Circle Officer, Ghoghardhia, Madhubani
7. The Additional Collector, Madhubani.
8. Shatrudhan Chaudhary Son of Late Yogendra Chaudhary Resident of Village-Shatrupatti, P.S.-Ghoghardiha, P.O.-Sarauti, District-Madhubani.
9. Ashok Chaudhary Son of Late Yogendra Chaudhary Resident of Village-Shatrupatti, P.S.-Ghoghardiha, P.O.-Sarauti, District-Madhubani.
10. Radha Devi Wife of Late yogendra Chaudhary Resident of Village-Shatrupatti, P.S.-Ghoghardiha, P.O.-Sarauti, District-Madhubani.
11. Arun Kumar Chaudhari, Son of Late Sifat Chaudhari Resident of Village-Shatrupatti, P.S.-Ghoghardiha, P.O.-Sarauti, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Amar Nath Yadav, Adv.
For the Respondent/s	:	Mr.Rishi Raj Sinha, SC-19
		Mr.Manoj Kumar Sinha, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-09-2022 The present writ petition has been filed seeking the following relief:-

“i) For issuance of a writ in the nature of Mandamus in order to direct/ command the respondent authorities specially the respondent no. 6 the Circle Officer Ghoghardiha Madhubani



to remove the encroachment from the public road where upon the encroachers i.e. private respondent nos. 8 to 11 have already encroached the said road.

ii) For issuance of a writ in the nature of Mandamus for directing/ commanding the concerned respondent authority to comply the order/ judgment dated 15/12/2020 passed by the Sub-Divisional Public Grievance Redressal Cell Officer, Phulparas, Madhubani in connection with complaint case no. 9999901100920167006 wherein he, the said officer mentioned that the Circle Officer, Ghoghardiha Madhubani had initiated the encroachment case which bearing no. 37/2020-21 but the said case is pending yet in the said officer's office meaning thereby that the said officer is not paying heed on the said issue."

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Ghoghardhia, District Madhubani, 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, Ghoghardhia, District Madhubani, 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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