

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6382 of 2022

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Vijay Prasad Son of Chitranjan Prasad Resident of Jhajhihat Bazar, Janakpur
Ward No.11, P.S. Pupri, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development Department, Government of Bihar, Patna.
3. The District Magistrate, Sitamarhi, Bihar.
4. The Sub Divisional Officer, District Sitamarhi, Bihar.
5. The Circle Officer, Pupri Circle, Sitamarhi, District Sitamarhi, Bihar.
6. The Executive Officer, Nagar Parishad, Pupri, District Sitamarhi, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-07-2022 The present writ petition has been filed for directing the respondent authorities not to take any coercive action pertaining to demolition of the house of the petitioner situated over the land in question, without carrying out measurement/demarcation as per the sanctioned Government map published by the Government press, Gujzarbagh, Patna instead of relying on unauthenticated local maps. It is also submitted that since encroachment proceedings are going on



before the Circle Officer, Pupri Circle, District-Sitamarhi, the petitioner be granted liberty to file his show cause reply and till then, some protection be granted.

The learned counsel for the Respondent-State submits that in case, the petitioner approaches the Circle Officer, Pupri Circle, District-Sitamarhi i.e. the Respondent No. 5 and files his objections / show cause reply, annexing the latest map as has been published by the State Government, the Respondent No. 5 shall definitely consider the same and pass appropriate orders under the provisions of the Bihar Public Land Encroachment Act, 1956 as also in accordance with law.

Having regard to the facts and circumstances of the present case, the present writ petition stands disposed of with liberty to the petitioner to approach the Respondent No. 5 and file appropriate show cause reply, as aforesaid, in the ongoing encroachment case, within a period of four weeks from today, which shall be considered



by the Respondent No. 5 and appropriate final order shall be passed in accordance with law as also in accordance with the provisions contained in the Bihar Public Land Encroachment Act, 1956.

It is needless to state that in case, show cause reply is filed within a period of four weeks from today, status quo, existing as on today, shall be maintained till the final disposal of the aforesaid encroachment case by the Respondent No. 5.

It is expendable to mention that measurement, if required, may be resorted to in appropriate weather condition.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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