

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10062 of 2021

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Anwar Rafi Son of late Shamsul Hoda resident of village - Jaisinghpur,
Khirwa Tola, P.S. - Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Land and Revenue, Government of Bihar, Patna.
3. The District Magistrate East Champaran at Motihari.
4. The Sub-Divisional Officer Sadar, Motihari.
5. The Circle Officer, Turkaulia, District- East Champaran.
6. The Station House Officer (SHO), Turkaulia.
7. Haidar Ali Son of Wasi Akhtar resident of village - Jaisinghpur, Khirwa Tola, P.S. - Turkauliya, District- East Champaran.
8. Rojid son of late Molajim resident of village - Jaisinghpur, Khirwa Tola, P.s. - Turkauliya, District- East Champaran.
9. Sojid son of late Molajim resident of village - Jaisinghpur, Khirwa Tola, P.s. - Turkauliya, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Asif Kalim, Advocate
For the Respondent/s : Mr. SC 25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-09-2022 The present petition has been filed seeking the following reliefs :-

“(A) For issuance of an appropriate writ, order or direction commanding the respondent authorities to remove the encroachment from government land i.e. Khata no. 814, Plot no. 2871, which is used as road, has been encroached by private respondents by making construction.



(B) For issuance of an appropriate writ, order or direction commanding the respondent authorities to fix responsibilities over any of the public servant so that future encroachment would not be possible and width of the road could not be shrunked.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Turkaulia, District- East Champaran i.e. respondent no. 5 for redressal of his aforesaid grievances. 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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