

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7080 of 2022

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Amir Ram S/o Late Satyadeo Ram, Resident of Village-Gauspur, P.O.-
Parsauni Kapur, P.S.-Kathaiya, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land and Revenue, Bihar, Patna.
2. The District Magistrate-cum-Collector, Muzaffarpur.
3. The Additional Collector, Muzaffarpur.
4. The Sub Divisional Officer (West), Muzaffarpur.
5. The Circle Officer, Motipur, District-Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar, Adv.
Mr. Abhash, Adv.

For the Respondent/s : Mr.Mukul Prasad, AC to G.P. 18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-08-2022 The present writ petition has been filed seeking the
following reliefs:-

“(i) To issue an appropriate order/s, direction/s including a writ preferably in the nature of mandamus commanding and directing upon the Circle Officer, Motipur, District Muzaffarpur (Hereinafter referred to as respondent No.5) to remove encroachment from the public land (an approach road) bearing Khesra No. 460, 467, 466, 465, 469, 470, 439 which has been encroached by the villagers by constructing house in some part of the approach road causing inconvenience to the public at large in passage through the same.

(ii) For direct the respondent no. 5 to remove



the encroachment from the above mentioned approach road situated in Mauza Gauspur, P.O. Parsauni, P.S. Kathaiya, District Muzaffarpur by way of initiating a proceeding under section 3 of the Bihar Public Land Encroachment Act, 1956 and conclude the same with a logical end.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Respondent No. 5 i.e. the Circle Officer, Motipur, District Muzaffarpur for redressal of his aforesaid grievances.

Accordingly, the present writ petition stands disposed of with liberty to the petitioner to approach the Respondent No. 5 by filing an appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956 and in case such a petition is filed within a period of four weeks from today, appropriate orders shall be passed thereon, in accordance with law, and after hearing the affected parties within a period of 12 weeks, thereafter.

The writ petition stands disposed of with the aforesaid liberty.

(Mohit Kumar Shah, J)

Tiwary/-

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