

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7302 of 2022

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Dinesh Kumar Sharma @ Dinesh Prasad Sharma Son of Late Chandrika Prasad Singh @ Chandrika Singh Resident of Village and P.O. Baghaur, P.S.-Halsi, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secreary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate-Cum-Collector, Lakshisarai.
4. The Deputy Collector, Land Reforms (D.C.L.R.), Lakhisarai.
5. The Sub-Divisional Officer, Lakhisarai.
6. The Block Development Officer, Halsi, District-Lakhisarai.
7. The Circle Officer, Anchal-Halsi, District-Lakhisarai.
8. Rajniti Kumar Son of Late Jay Narayan Singh Resident of Village and P.O. Baghaur, P.S.-Halsi, District-Lakhisarai, Presently Posted as Government of Teacher, Upgraded Middle School, Baghaur, P.S.-Halsi, District-Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (GP 18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-12-2022 The present petition has been filed seeking the following reliefs :-

“(i) For commanding and directing the respondent authorities concerned to remove the illegal encroachment/ structure from the government Gairmazarua Aam land appertaining to Khata no. 73, Khesra no. 828, area 1 bigha 38 decimals of mauza-Baghaur, PS+Block-Halsi, Lakhisarai situated besides main road connecting to village-Baghaur and



adjacent to Upgraded Middle School, Baghaur which has illegally been encroached by the private respondent no. 8 namely Rajniti Kumar by constructing a Hanuman Temple forcibly and despite apprising the aforesaid fact to the respondent authorities and authority of concerned police station by the petitioner and other villagers no action is being taken in the matter and on the other hand, the private respondent is threatening this petitioner saying that if he will raise this issue before any of the government officials be ready to face dire consequences.

(ii) For commanding and directing the respondent authority concerned to get the construction work of Hanuman temple over the aforesaid government Gairmazarua Aam land stop forthwith and to take appropriate legal action against the private respondent no. 8 Rajniti Kumar in accordance with law in this regard.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Halsi, District-Lakhisarai 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, Halsi, District-Lakhisarai 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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