

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13388 of 2021

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Mahesh Choudhry S/o Dukhit Choudhry Resident of Village- Near Shiv Mandir Sursand, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Through its Chief Secretary, Old Secretariate Bihar, Patna.
2. The District Magistrate Sitamarhi, District- Sitamarhi.
3. The S.D.O. Pupri District- Sitamarhi.
4. The B.D.O. (Block Development Officer) Sursand, District- Sitamarhi.
5. The C.O. (Circle Officer) Sursand, District- Sitamarhi.
6. Kamlesh Tiwary S/o Ram Hriday Tiwary Resident of Village- Sursand, near Shiv Mandir, P.S.- Sursand, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad,Advocate
For the Respondent/s : Mr.Rishi Raj Sinha,SC-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-10-2022 The present writ petition has been filed seeking the following relief:-

“1. That this writ application is preferred on behalf of above named petitioner for issuance of order, directions to concerned authorizes to initiate encroachment proceeding and remove encroachment from the land appertaining to Khata No.3054 Khesra No. 5924 Area 0.25 decimal which is situated at Village-Sursand Anchal, District- Stiamarhi which is Gairmazarua land used by Aam Public but which has been encroached by respondent No.6 Kamlesh Tiwary due to which the Rasta (Road) has been blocked and work under Nal-Jal Scheme has been



stopped.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Sursand, District-Sitamarhi, for redressal of his aforesaid grievance.

Liberty so sought is granted.

It is needless to state that in case the petitioner approaches the Circle Officer, Sursand, District-Sitamarhi, 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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