

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10356 of 2020

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Bhushan Mishra, S/o Chhathu Mishra, Resident of Village - Adhaila Mishra,
P.O. Bajudih Mahuawa, P.S. - Vijayipur, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Department of Land and Revenue, Government of Bihar, Patna.
3. The District Magistrate Cum Collector, Gopalganj.
4. The Sub Divisional Officer, Hathua, Gopalganj.
5. The Circle Officer, Vijayipur, Gopalganj.
6. Ramashish Mishra, S/o Ramkripal Mishra, Resident of Village - Adhaila Mishra, P.O. Bajudih Mahuawa, P.S. - Vijayipur, District - Gopalganj.
7. Binod Tiwary S/o Ram Bara Tiwary, Resident of Village - Adhaila Mishra, P.O. Bajudih Mahuawa, P.S. - Vijayipur, District - Gopalganj.
8. Sri Ram Mishra, S/o Sachita Mishra, Resident of Village - Adhaila Mishra, P.O. Bajudih Mahuawa, P.S. - Vijayipur, District - Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate
For the Respondent/s : Mr.Dhurjati Kr. Prasad, GP-14

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-11-2022 The present writ petition has been filed seeking the following reliefs:-

“I) To issue a writ of Mandamus commanding respondent authorities to take appropriate action against the respondent no.6 to 8 who encroached the village pond land situated in Village-Adhail Mishra under Block Vijayipur, Gopalganj bearing Khata No.81, Khesra No.-51 and 52, Area-1 Bigha 6 Katha 7 Dhur of Khesra No.51 and 1 Bigha 8 Katha 10 Dhurs of Khesra No. 52.



II) To issue a writ of Mandamus commanding respondent authorities to dispose of the application given on different dates by the petitioner and other co villagers and on the basis of same initiate encroachment proceeding against the respondent no. 6 to 8 and makes the encroached land of village pond free.

III) To issue a writ of Mandamus commanding respondent authorities to execute the order dated 16.07.2017 passed in case no. 184 of 2017-2018 by the Ld. Sub Divisional Public grievance redressal officer, Hathua and free encroachment from the village pond land.”

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