

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15632 of 2021

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Diwakar Varma Son of Sri Keshav Lal Varma Resident of Village- Bhusai,
P.O. and P.S.- Rajoun, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The District Magistrate/ Collector, Banka
4. The Sub Divisional Officer, Banka
5. The Circle Officer, Rajoun, District- Banka
6. Ganesh Harijan Son of Late Mahadev Harijan Resident of Village- Bhusai, P.O. and P.S.- Rajoun, District- Banka.
7. Raju Harijan Son of Late Mahadev Harijan Resident of Village- Bhusai, P.O. and P.S.- Rajoun, District- Banka.
8. Dilip Harijan Son of Sanchu Harijan Resident of Village- Bhusai, P.O. and P.S.- Rajoun, District- Banka.
9. Geeta Devi Wife of Ranjit Harijan Resident of Village- Bhusai, P.O. and P.S.- Rajoun, District- Banka.
10. Shankar Harijan Son of Sanchu Harijan Resident of Village- Bhusai, P.O. and P.S.- Rajoun, District- Banka.
11. Anil Harijan Son of Late Mahadev Harijan Resident of Village- Bhusai, P.O. and P.S.- Rajoun, District- Banka.
12. Dinesh Harijan wife of Late Mahadev Harijan Resident of Village- Bhusai, P.O. and P.S.- Rajoun, District- Banka.
13. Genu Harijan Son of Late Mahadev Harijan Resident of Village- Bhusai, P.O. and P.S.- Rajoun, District- Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (GP18)

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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 relief :-

“(i) For issuance of a writ in the nature of mandamus for a direction to the respondents to



remove the encroachment of the land bearing Thana no. 373, Khata no. 250, Khesra no. 388, Area-2.80 acre which is Aam Rasta (Sadak) which has been encroached by the local public for which the petitioner has filed application before the respondents on 30.06.2021 but the same has not been considered as yet and further issue direction to the respondents removed the encroachment from the encroachers who have illegally encroached the Rasta of the petitioner.”

At the outset, the learned counsel for the petitioner submits that a representation dated 30.06.2021 has been filed before the District Magistrate, Banka i.e. the respondent no. 3, which is annexed as Annexure 7 to the present writ petition, however, the same is not being disposed off by the respondent no. 3.

Having regard to the limited prayer made by the petitioner, I deem it fit and proper to dispose off the present writ petition with a direction to the District Magistrate, Banka to consider the aforesaid representation of the petitioner, annexed as Annexure 7 to the present writ petition and pass appropriate orders thereon, in accordance with law, within a period of eight weeks of receipt/production of a copy of this order.

(Mohit Kumar Shah, J)

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