

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3864 of 2021

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Kanhaiya Lal Soni son of Sri Vishnudev Prasad resident of Main Road, Simri Bakhtiyarpur, Ward No. 12, P.S. Bakhtiyarpur, District Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar, through the District Magistrate, Saharsa.
2. The Sub Divisional Magistrate, Simri Bakhtiyarpur, District Saharsa.
3. The Superintendent of Police, Saharsa.
4. The Officer-in-Charge, Simri Bakhtiyarpur Police Station, Simri Bakhtiyarpur, District Saharsa.
5. The Circle Officer, Simri Bakhtiyarpur, District Saharsa.
6. Nunu Lal Sah son of Ramdeo Sah resident of Godiari, P.S. Salkhua, District Saharsa.
7. Chandan Shah son of Pramod Sah resident of Post Office Gali, Simri Bakhtiyarpur, P.S. Simri Bakhtiyarpur, District Saharsa.
8. Mahendra Sah son of Bhukhan Sah resident of Post Office Gali, Simri Bakhtiyarpur, P.S. Simri Bakhtiyarpur, District Saharsa.
9. Upendra Sah son of Bhukhan Sah resident of Post Office Gali, Simri Bakhtiyarpur, P.S. Simri Bakhtiyarpur, District Saharsa.
10. Kishore Sah son of Ram Bilash Sah resident of Post Office Gali, Simri Bakhtiyarpur, P.S. Simri Bakhtiyarpur, District Saharsa.
11. Kailash Sah son of Sukal Sah resident of Post Office Gali, Simri Bakhtiyarpur, P.S. Simri Bakhtiyarpur, District Saharsa.
12. Pramod Sah son of Sukal Sah resident of Post Office Gali, Simri Bakhtiyarpur, P.S. Simri Bakhtiyarpur, District Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Maijorwar, Advocate
For the Respondent/s : Mr.Lalit Kishore (AG)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-09-2022 Though the present writ petition has been filed seeking a direction upon the respondent authorities to restrain the private respondents from encroaching the public road situated in between the land of the petitioner and that of the



private respondents, however, the learned counsel for the petitioner has limited the relief sought for by the petitioner to grant of liberty to the petitioner to approach the Circle Officer, Simri Bakhtiyarpur, District-Saharsa i.e. respondent no. 5 for redressal of his aforesaid grievance.

Liberty so sought is granted.

It is needless to state that in case appropriate petition is filed before the respondent no. 5 under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks from today, the respondent no. 5 shall consider the same and pass appropriate orders thereon, in accordance with law and after hearing the affected parties, within a period of 12 weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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