

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10916 of 2022

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1. Vinay Bharti Son of Alakh Dev Bharti, Resident of Village- Sarsu, (2 Gowar Toli, Mandir), Anchal- Mohra, P.S.- Atri, District- Gaya.
 2. Bal Shankar Bharti, Son of Alakh Dev Bharti, Resident of Village- Sarsu, (2 Gowar Toli, Mandir), Anchal- Mohra, P.S.- Atri, District- Gaya.
 3. Uday Bharti, Son of Alakh Dev Bharti, Resident of Village- Sarsu, (2 Gowar Toli, Mandir), Anchal- Mohra, P.S.- Atri, District- Gaya.
 4. Anuj Bharti, Son of Alakh Dev Bharti, Resident of Village- Sarsu, (2 Gowar Toli, Mandir), Anchal- Mohra, P.S.- Atri, District- Gaya.
 5. Ravindra Singh, Son of Late Mahavir Singh, Resident of Village- Sarsu, (2 Gowar Toli, Mandir), Anchal- Mohra, P.S.- Atri, District- Gaya.
 6. Siya Bharti, Son of Shyam Bharti, Resident of Village- Sarsu, (2 Gowar Toli, Mandir), Anchal- Mohra, P.S.- Atri, District- Gaya.
 7. Jay Karan Prasad, Son of Late Ram Mahto, Resident of Village- Sarsu, (2 Gowar Toli, Mandir), Anchal- Mohra, P.S.- Atri, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, District- Gaya.
2. The Subdivisional Magistrate, Neemchak Bathani, District- Gaya.
3. The Circle Officer, Circle Office- Anchal- Mohra, District- Gaya.
4. The Anchal Ameen, Circle Office- Anchal- Mohra, District- Gaya.
5. The Station House Officer, P.S.- Atri, Anchal- Mohra, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Pandey, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (Standing Counsel-25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-08-2022 The present writ petition has been filed seeking the following reliefs:-

“(i) For issuance of appropriate orders, direction or writ in the nature of Certiorari, for quashing the report by Anchal Ameen in pursuance to the measurement findings dated 16.04.2021 (Annexure-



4).

(ii) For issuance of appropriate orders, direction or writ in the nature of Certiorari, for quashing the notices dated 15.12.2021 (Annexure-6/1) issued under Section 6 of the Bihar Public Land Encroachment Act, 1956, by the Circle Officer (respondent no. 3), whereby and wehreunder he has passed the orders for removal of alleged encroachments in the Mauza-Sarsu, Thana-269, Khata No. 895, Khesra No. 3024 & 3034 in the Anchal-Mohra of District-Gaya.

(iii) For issuance of appropriate orders, direction or writ in the nature of Certiorari for quashing the Memo No. 732 dated 14.07.2022 (Annexure-8) the Circle Officer has fixed the date for demolition of construction made over the alleged encroached area, in between 26 July to 28th July, 2022.

(iv) For issuance of appropriate orders, direction or writ in the nature of Mandamus commanding the respondents concerned, particularly the respondent no. 3 to make alternative arrangements for free and fair measurement of land in question, i.e. Mauza Sarsu, Thana-269, Khata No. 895, Khesra No. 3024 & 3034 in the Ancahl-Mohra.

At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the District Magistrate, Gaya for redressal of their grievances.

Liberty so sought is granted.



The writ petition stands disposed off. However, with
a further direction that for a period of four weeks from today, status
quo existing as on today shall be maintained.

(Mohit Kumar Shah, J)

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