

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16833 of 2021

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Mohammad Zahir Alam Son of Abdul Rajjak Resident of Village-Bahara
Jahidpur Police Station Nanpur, Dist-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. District Magistrate Sitamarhi.
3. Circle Officer, Nonpur, Dist-Sitamarhi.
4. Zahir Baith Son of Sabhan Biatha Resident of Bahara Jahidpur, Police
Station, Nanpur, Post Office Dist-Sitamarhi.
5. Bakhir Biath, Son of Sabhan Baitha, Resident of Bahara Jahidpur, Police
Station, Nanpur, Post Office Dist-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mazharul Hassan, Adv.
For the Respondent/s : Mr.Raj Kishore Roy (GP18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-11-2022 At the outset, the learned counsel for the petitioner

seeks permission to correct the description of respondent no. 3.

Permission so sought is granted. The needful be done during

the course of the day.

The present writ petition has been filed seeking the
following relief:-

*“1) That, the present writ application is being
filed before the Hon’ble High Court for
direction/directions order/orders to the Authority
concerned to remove the encroachment which has
been created by the respondent No. 4 and 5.*



The petitioner has been filed application before the Circle Officer Anchal, Pipri, Dist- Sitamarhi on dated 05.02.2021 that respondent no. 4 and 5 have encroached the public land at plot no. 2112, 2113, old plot no. 1550 Area 4 Dismal situated at village- Bahara jahidpur, P.S. Nonpur Dist- Sitamarhi, the respondents are encroached the said land after overlapping the old wheel and they would to make his hut (house) by hook and crook. The Local villagers are on maid by the respondent village action.

Petitioner filed representation before the Circle Officer Nanpur and also approached many times but upto now no any action taken by the respondent No. 3 then after approach before the Hon'ble High Court."

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Nonpur, Dist-Sitamarhi for redressal of his aforesaid grievances. Liberty so sought is granted.

It is needless to state that in case the petitioner approaches the Circle Officer, Nonpur, Dist-Sitamarhi by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of 4 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)

Tiwary/Saurav

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