

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16947 of 2021

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Md. Saqib Khan son of Md. Shamsuddin Khan Resident of Azad Road
Chandwara, P.O.- Head Post Office Muzaffarpur, P.S.- Town Thana
Muzaffarpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna
2. The District Magistrate, Muzaffarpur.
3. The Superintendent of Police, Muzaffarpur.
4. The Circle Officer, Mushari, District- Muzaffarpur.
5. The Officer-in- Charge, Town Thana, Muzaffarpur.
6. Dr. Fazalu Rahman son of Motiur Rahman Resident of Mohalla- Ali Mirza Road, Pakki Sarai, Muzaffarpur.
7. Shri Krishna Mahto son of Late Ganga Mahto Resident of Mohalla Nai Bazar Road, Pakkisarai, Muzaffarpur.
8. Smt. Lakshmi Devi wife of Shankar Prasad Kesari urf Jagat Mistri Resident of Mohalla Nai Bazar Road, Pakkisarai, Muzaffarpur.
9. Ravi Mahto son of Late Nand Kishore Mahto Resident of Mohalla Nai Bazar Road, Pakkisarai, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Priyank Samdarshi
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-10-2022 The present writ petition has been filed
seeking the following relief:-

“1. That this is an application for issuance of appropriate writ in the nature of mandamus or any other appropriate writ, order or direction commanding the respondents to provide due protection for passage through the Nai Bazar Road,



Pakki Sarai, Muzaffarpur, which is the major connecting the road near the petitioner's house and to oust the unlawful elements who have, under administrative and political patronage, forcibly occupied almost two bigha of Government land (Kaisare Hind) bearing Khata No. 316 and 318, Khesra No. 225, 229 Ka, 229 Kha, 239 to 244 situated at Mohalla-Nai Bazar Road / Ali Mirza Road, Pakki Sarai Muzaffarpur under Mushari Anchal, District-Muzaffarpur, bearing Thana No. 411, Old Ward No. 16, New Ward No. 43. And further be pleased to direct the Officer-in-Charge of the Town Thana, Muzaffarpur (Respondent No. 5) to remove the encroachment on the basis of Government records / the record of rights showing the said lands as Kaisare Hind (Government Land) as contained in Annexure-1."

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