

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17486 of 2021

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Mithlesh Jha @ Mithlesh Kumar Jha Son of Late Subhadra Jha, Resident of
Village - Bhalni, P.S.- Bajpatti, District - Sitamarhi - 843333.

... .. Petitioner/s

Versus

1. The State of Bihar .
2. The District Magistrate, Sitamarhi.
3. The Deputy Collector Land Reform, Sitamarhi.
4. The Sub-Divisional Officer, Sitamarhi.
5. The Circle Officer, Bajpatti, District - Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur Mr.Subodh Kumar
For the Respondent/s	:	Mr. W. A. Khan, AC to SC 25

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-03-2022 Heard learned Counsel for the parties concerned.

Learned Counsel for the petitioner submits that the petitioner is the rightful owner of a piece of land, bearing plot no. 511, khesra no. 1066 and in Encroachment Case No. 09 of 2019-20 initiated for removal of the encroachment, final order has been passed against the petitioner by the Circle Officer, Bajpatti, on 06.08.2021.

Learned Counsel for the State submits that as per Section 11 of the Bihar Public Land Encroachment Act, 1956, there is an alternative remedy of appeal and the petitioner may be relegated to the alternative remedy of appeal.



In view of the fact that the order passed by the Circle Officer, dated 06.08.2021, is appealable, this writ application is disposed with liberty to the petitioner to file an appeal before the Collector, Sitamarhi, within a period of two weeks from today, and if such an appeal is filed, along with the prayer for condonation of delay, the same shall be disposed on its own merits.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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