

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15456 of 2022

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Badri Narain Dubey Son of Jokhu Dubey Resident of Village- Gali No.-1,
Vishwamitra Colony, Charitraban, Hanuman Niwas Vishwamitra Colony,
P.S.- Buxar (T), District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Revenue and Land Reforms Department, Patna, Bihar.
2. The Principal Secretary, Urban Development Department, Patna, Bihar.
3. The District Magistrate, Buxar.
4. Deputy Development Commissioner, Buxar.
5. The Superintendent of Police, Buxar.
6. Anumandaliya Lok Sikayat Niwaran Padhadikaree, Buxar.
7. The Deputy Collector Land Reforms, Buxar.
8. The Block Development Officer, Rajpur, Distt.- Buxar.
9. The Circle Officer, Rajpur, Distt.- Buxar.
10. The Thana-in-Charge, Rajpur, Distt.- Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajiv Ranjan Kr. Pandey, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha (SC19)
	:	Mr. Atul Shankar, AC to SC 19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-11-2022 The present writ petition has been filed seeking the
following reliefs :-

*“(A) For issuance of a writ in the nature of
mandamus commanding and directing the
respondents authority to remove the
encroachment over the Government land
bearing Khata no. 152(O), 161(N) Survey
Plot no. 188(O), 165(N) total area measuring
about 1088 Acre of village-Dadura, PS-*



Rajpur, Anchal-Rajpur, District- Buxar, the nature of the said land is “Anabad Bihar Sarkar & Aam Rasta”. Further ‘Chak proceeding’ of the said village is also completed and hence the said land has mentioned in the government record as Chak Khata no. 161, Chak Plot no. 165 and the nature of land is ‘Rasta’ presently ‘Pakee Sadak’. Villagers used the said land for the purpose o ‘Rasta’.

(B) Further directing the respondents to remove the said encroachment by way of complying the order dated 13.07.2019 passed by ‘District Lok Sikayat Niwaran Padhadikaree’, Buxar and also the order dated 25.02.2021 passed by ‘District Magistrate, Buxar-cum-2nd Appellate Tribunal Lok Sikayat Niwaran’, Buxar. Upon the said road anti social elements has been encroached with the collusion of the government officials for the purpose of personal use, resultant the public road has completely blocked.

(C) For further directing the respondents (respondent no. 4) to comply the order dated 25.02.2021 passed by the ‘District Magistrate, Buxar-cum-2nd Appellate Tribunal Lok Sikayat Niwaran’, Buxar in the petition filed by the petitioner vide Misc. no. 530210124121802479, regarding land in



question for removing the encroachment over public land upon which inquiry has been done.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Rajpur, Buxar 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, Rajpur, Buxar 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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