

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19935 of 2021

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Pitambar Kamat Son of Late Achchhe Kamat Resident of Village- Jafra,
Police Station- Bisfi O.P., District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Additional Collector, Madhubani.
4. The Sub Divisional Officer, Banipatti, Madhubani.
5. The Circle Officer, Bisfi Anchal, District- Madhubani.
6. The Circle Inspector, Bisfi Anchal, District Madhubani.
7. The Station House Officer, Patauna O.P., Police Station- Bisfi, District- Madhubani.
8. Pramod Kamat Son of Late Sahdev Kamat @ Malekh Resident of Village- Jafra, Police Station- Bisfi (Patauna O.P.), District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-11-2022 The present writ petition has been filed
seeking the following relief:-

“1. That this is an application for issuance of writ in the nature of mandamus or any other appropriate writ(s), order(s), direction(s) commanding upon the respondents specially to the District Magistrate, Madhubani to remove the encroachment over public land (public way) appertaining to khata no. 1138, khesra



no. 714 and area 2 decimal in village-Jafra of Patauna O.P.(Bisfi P.S.) and Anchal Bisfi in District Madhubani, which has been encroached by the respondent no. 7, by constructing his house over the same. And further ensured removal of the encroached land as the respondent no. 5, the Circle Officer, Bisfi in compliance of the order of the Sub-Divisional Officer, Benipatti, without removal of encroachment, forcibly took signature of the applicant and submitted compliance report. And for issuance of any appropriate writ(s), order(s), direction(s) for which the petitioner is otherwise entitled under the facts and circumstances of the case.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Bisfi Anchal, District-Madhubani 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, Bisfi Anchal, District-Madhubani 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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