

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9791 of 2018

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Mohan Prasad Yadav S/o Satyadeo Yadav Resident of Village- Gidha, P.O. Parsa, P.S. Ghoghar Diha, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. District Magistrate Cum Collector, Madhubani.
3. District Land Acquisition Officer, Madhubani.
4. District Public Grievance Officer, Madhubani.
5. Sub-Divisional Public Grievance Officer, Madhubani.
6. Circle Officer, Ghoghar Diha, Madhubani.
7. Executive Engineer, Gramin Pramandal Phulparas, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.
For the State : Mr. Dhurjati Kumar Prasad, GP-14

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 20-09-2022 Though the present writ petition has been filed for directing the Respondents to remove encroachment made over the raiyati land of the petitioner, appertaining to plot no. 4305 (old) and plot no. 7160 (new), situated in village-Gidaha, P.S.-Ghoghardiha, P.O.-Parsa, District-Madhubani, however, a counter affidavit has been filed today by the District Magistrate, Madhubani wherein in paragraph no. 12, it has been stated that although it is true that the road in question has been made over a portion



of the land of the petitioner appertaining to Khesra No. 4305, however, the said road is existing since 60 years.

In such view of the matter, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to avail such other alternative remedies as are available under the law for seeking a declaration regarding his right, title and possession over the said portion of the land with regard to which right of way is being claimed by the villagers. Liberty, so sought, is granted.

The writ petition stands disposed of.

(Mohit Kumar Shah, J)

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