

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3256 of 2020

Lakhan Mahto son of Ganauri Mahto resident of Mohalla- Khandpur (Sheikhpura), P.S and District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate-cum- Collector, Sheikhpura.
3. The Sub- Divisional Officer, Sheikhpura.
4. The Circle Officer, Sheikhpura.
5. The Circle Inspector, Sheikhpura, District- Sheikhpura.
6. The Executive Officer, Municipal Corporation (Nagar Parishad), Sheikhpura.
7. The Junior Engineer, Municipal Corporation (Nagar Parishad), Sheikhpura.
8. Ranju Devi wife of Dilip Sharma resident of Mohalla- Khand Par, Ward No. 6, P.S. and District- Sheikhpura.
9. Dharamshila Devi wife of Naresh Mahto resident of Mohalla- Khand Par, Ward No. 6, P.S. and District- Sheikhpura.
10. Naresh Mahto son of Ishwar Mahto resident of Mohalla- Khand Par, Ward No. 6, P.S. and District- Sheikhpura.
11. Mahesh Mahto @ Suman Saurabh son of Naresh Mahto resident of Mohalla- Khand Par, Ward No. 6, P.S. and District- Sheikhpura.
12. Mannu Mahto @ Vijay Saurabh son of Naresh Mahto resident of Mohalla- Khand Par, Ward No. 6, P.S. and District- Sheikhpura.
13. Raj Saurabh son of Naresh Mahto resident of Mohalla- Khand Par, Ward No. 6, P.S. and District- Sheikhpura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-09-2022 The present writ petition has been filed
seeking the following relief:-

“1. That the petitioner above-named
craves for indulgence of this Hon’ble



Court by way of issuance of any appropriate order/orders, direction/directions or writ/writs, preferably in the nature of mandamus commanding and directing the respondents concerned to remove illegal encroachment upon the declared 'Gairmazarua Aam' Government land of public road under Mauza-Sheikhpura, Thana No. 176, Khata No. 506, measuring area of 66 decimals, upon which some persons have encroached the general public land and 'Nala' exceeding the land of 4 decimals of their homestead land, in compliance of an order of Sub-Divisional Public Grievance Redressal Officer dated 14.3.2019 as also in view of a recent spot verification report dated 11.1.2019 submitted by the local Amin and Circle Inspector, but despite that the illegal encroachment is not being removed due to which the petitioner as well as general public of the locality area facing acute problem in movement from road. And/or for any other relief/reliefs which this Hon'ble Court may think fit and proper in the facts and circumstances of this case."



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