

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1119 of 2020

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Sri Kant Jha S/o Late Khartar Jha Resident of Village- Sherpur, Narsari Tole
Gurma, P.S.- Sarairanjan, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home,
Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Samastipur.
3. The Circle Officer, Sarayranjan, Samastipur.
4. Senior Superintendent of Police, Samastipur.
5. Officer-in-Charge, Sarayranjan, Samastipur.
6. Ajay Singh S/o not known Resident of Village- Godhwara, P.S.- Samastipur,
Distt- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Gopal Tiwari, Adv.
For the State	:	Mr. Shailesh Kumar, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 30-06-2022 The short prayer made by the petitioner in

the present writ petition is to remove the

encroachment over the land belonging to the

petitioner appertaining to Survey Khata No. 120,

Khesra No. 414, Thana No. 284 in Mauja-Sherpur

Narsari Gurma, P.S.-Saraiyranjan, District-

Samastipur.

The learned counsel for the petitioner has
submitted that without either acquiring the land of
the petitioner or paying compensation, the
respondents have constructed a road over the land



in question.

Having regard to the facts and circumstances of the case as also considering the fact that factual disputes are involved in the present case, I deem it fit and proper to dispose of the present writ petition with liberty to the petitioner to approach the District Magistrate, Samastipur by filing appropriate representation and in case, such a representation is filed within a period of four weeks from today, the District Magistrate, Samastipur shall consider the same and in case, it is found that road has been constructed over the land of the petitioner, either the same shall be removed or appropriate compensation shall be paid to the petitioner. It is expected that the final order shall be passed by the District Magistrate, Samastipur within a period of six weeks of filing of appropriate representation by the petitioner.

(Mohit Kumar Shah, J)

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