

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4638 of 2017

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Ram Raj Chaudhary Son of Late Indradev Choudhary @ Indradev Ahir,
Resident of Village- Fatehpur Tola Kuahi, P.O.- Barka Gaon, P.S. Mirganj,
District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Land Reforms Department, Government of Bihar, Old Secretariat, Patna
2. The District Magistrate-cum- Collector, Gopalganj.
3. The Deputy Collector Land Reforms, Gopalganj.
4. The Circle Officer, Circle Hathua District, Gopalganj.
5. The Mukhiya, Gram Panchayat- Fatehpur, P.S.- Mirganj, District- Gopalganj.
6. The Thanadhyaksh, Mirganj Police Station, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mahesh Prasad
For the Respondent/s : Mr.Sajid Salim Khan- Sc25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-04-2023 The present writ petition has been filed seeking the following relief:-

“1. That, this is an application for issuance of a writ of certiorari or any other appropriate writ directing the Respondent Nos. 3 and 4 to forbear from giving any effect to the removal of encroachment notice dated 20.1.2017 issued by the authorized Collector in the office of the Circle Officer, Hathua Gopalganj under Section 3 of the Bihar Public Land Encroachment Act, 1956 and stay of the proceeding as well as a writ of mandamus as to issue the land rent receipt on the



ground that the land in question does not come under the Bihar Public land rather it is a private land. Secondly the land in Khata no. 123, Thana no. 976, Mirganj Gopalganj was allotted and settled in favour of the petitioner's father namely Indradev Ahir on 11.7.1933 vide (Annexure-2) and since then the family members of the petitioner have been living and using the land as their paternal property having right, title and interest vide (Annexure-3 series, land rent receipts issued by the Hathwa Estate Officer). The allegation of encroachment under the instant proceeding is false, frivolous and vexatious and has been made out of grudge and annoyance by the respondent Nos. 4 and 5.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Respondent authorities for redressal of his aforesaid grievances. Liberty, so sought, is granted.

The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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