

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1029 of 2023

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Rajeev Kumar S/o Lakhan Ram, resident of Head Manpur, Gopalganj Road,
Manpur, P.S. and P.O. - Buniyadganj, Gaya, Bihar - 823003.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar.
2. Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar.
3. District Magistrate and Collector, Gaya.
4. Circle Officer, Manpur, Gaya.
5. Yogendra Mistry, S/o Nandu Mistry, resident of Head Manpur, P.S. and P.O.- Buniyadganj, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kaushik, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (GP-18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-09-2023 The present writ petition has been filed
seeking the following reliefs:-

*“1. i. For issuance of an order,
direction or a writ of Mandamus
directing the Circle Officer, Manpur,
Gaya to hear and decide the
encroachment case instituted by the
petitioner by application dated
04.08.2018 for removal of
encroachment done by the
respondent no. 5 and his family
members over land situated at Khata*



No.1408, Municipal Survey Plot No. 3398/918 measuring 325 arr which in old Khatian is recorded as gairmajarua aam land and in draft khatian is recorded as Anavad Sarv Sadharan land and is thus government land to be used for general public.

ii. For issuance of an order, direction or an appropriate writ for staying the construction being carried by the private respondents on the land situated at Khata No.1408, Municipal Survey Plot No. 3398/918.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Manpur, Gaya to dispose off the petition filed before him for removal of the encroachment in question, copy whereof has been annexed as Annexure-P7 to the present writ petition.

3. Having regard to the limited prayer made by the petitioner in the present case, I deem it fit and proper to direct the Circle Officer, Manpur, Gaya to consider the aforesaid petition filed by the



petitioner, in case the same has been filed and is still pending and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, after hearing the affected parties and in accordance with law, forthwith.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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