

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5723 of 2017

=====

Sunil Kumar Motani @ Sushil Kumar Motani Son of Late Ramgopal Motani,
resident of Mohalla- Lal Bazar, P.O. and P.S.- Bettiah, District- West
Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Rural Development,
Bihar, Patna
2. The Collector, West Champaran, Bettiah.
3. Land Reforms Deputy Collector, West Champaran, Bettiah.
4. The Anchala Adhikarai, Bettiah, District- West Champaran.
5. Birendra Prasad, Son of Late Bansi Prasad, resident of Village- Sirisa Adda,
P.O. and P.S.- Chanpatia, District- West Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Respondent/s : Mr.Md Khurshid Alam-Aag12

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-04-2023 The present writ petition has been filed seeking the
following relief:-

“1. That this is an application for issuance of
an appropriate writ, order or direction,
particularly in the nature of writ of Mandamus
for directing the respondents to demolish the
illegal construction of respondent No.5
(Birendra Prasad), blocking the 10 feet of Aam
Rasta of the petitioner, whereas the Sale Deed
No.12859 dated 22.08.1983, executed in
favour of petitioner shows 10 feet Raasta in
southern boundary, and likewise the Sale Deed
No. 12240 dated 28.08.2001, executed in



foavour of respondent no. 5 shows 10 feet Raasta in northern boundary, clearly showing that land of the petitioner on the one hand and the land of the respondent no.5 is intervened by 10 feet Raasta which has been illegally encroached by illegal construction.”

After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law. Liberty, so sought, is granted.

The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

