

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3019 of 2023

Bindu Kumar, S/o- Late Chandeshwar Prasad, Resident of Village and P.O.-
Eksara, P.S.- Ben, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate (Collector), Nalanda.
3. The Circle Officer, Ben, District- Nalanda.
4. The Circle Inspector, Ben, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam, AAG-12

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MADHURESH PRASAD)

2 05-04-2023 The instant writ petition has been filed as a Public Interest Litigation for removal of encroachment from lands, which as per the petitioner's case are public lands.

The petitioner has disclosed the details of the land, which is irrelevant having regard to the nature of order that we propose to pass in the instant proceedings.

The writ petitioner has enclosed some orders passed by the Authorities under the Public Grievance Redressal Act, 2015.

Having considered the submission of learned counsel



for the petitioner, we observe that the Public Land Encroachment Act, 1956 (hereinafter referred to as “Act”), provides for initiation of proceedings for removal of encroachment under Section 3 of the Act. The statute provides remedy to the petitioner, if the lands which are alleged to have been encroached are public lands.

We refrain from giving any finding on this aspect and leave it to the petitioner to pursue his remedy as per law.

The writ application does not involve any issue of public interest and is accordingly dismissed.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

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