

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2072 of 2022

=====

Satish Kumar Singh, Son of Brahmeshwar Singh, Resident at Mohalla-Matkhan, Gali No. 15, Police Station - Neur, Distict-Patna at Present Posted 25th BNSSB, Ghitorni, Mehrauli, South, Delhi-110030.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Land Reforms and Revenue Department, Secretariat, Patna.
2. The District Magistrate Cum-Collector, Patna.
3. The Municipal Commissioner, Patna.
4. The Sub Divisional Magistrate, Patna Sadar.
5. The Circle Officer, Phulwari Sharif, Patna.
6. The S.H.O. Beur Police Station, District-Patna.
7. Smt. Gyanti Devi Wife of Late Sheojee Singh Resident of Mohalla-Matkhan, Gali No. 15, Police Station-Beur, District-Patna.
8. Smt. Kusum Rajo Devi W/o Sri Kamla Singh Resident of Mohalla-Matkhan, Gali No. 15, Police Station-Beur, District-Patna.
9. Ramesh Kumar Son of Late Sheojee Singh Resident of Mohalla-Matkhan, Gali No. 15, Police Station-Beur, District-Patna.
10. Ravi Kumar Son of Ramesh Kumar Resident of Mohalla-Matkhan, Gali No. 15, Police Station-Beur, District-Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr.Raj Kishore Roy (GP18)
For the PMC	:	Mr. Sanjay Prakash Verma, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-09-2023 This case has been listed upon urgent mentioning, but when the case was called out, none appeared on behalf of the petitioner. However, learned counsel for the State is present.

2. Learned counsel for the State submits that the present writ petition has been filed for a direction to the



respondent authorities to remove the encroachment from the land appertaining to Tauzi No. 5237, Khata No. 106, Survey Plot No. 565, Thana No.27 situated in Mauza-Sipara, Circle -Phulwari Sharif, Sub-Division, Patna Sadar, District -Patna which is Gairmazurua Aam land. However, learned counsel for the State raised a preliminary objection that this writ petition is not maintainable as there is a special law for removing the encroachment from the public land known as the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act of 1956).

3. In this background, this writ petition stands disposed of granting liberty to the petitioner to approach respondent No.5, namely, the Circle Officer, Phulwari Sharif, Patna by filing an appropriate application for redressal of his grievances under the provisions of the Act of 1956.

4. With the above observation and direction, the present petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

U			
---	--	--	--

