

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2482 of 2023

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Braj Kishore Mishara, Son of Mithilesh Kishor Mishra, Resident of Village-
Chak Fateha, Ward No.- 02, P.S.- Purnahiya, District- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Sheohar, District- Sheohar.
3. The Sub-Divisional Officer Sadar, Sheohar, District- Sheohar.
4. The Circle Officer, Purnahia, District- Sheohar.
5. The Executive Engineer, Bagmati Circle Sitamarhi, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr.Braj Bhushan Poddar, Advocate
For the State : Mr.Anjani Kumar, AAG-4

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

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 24-02-2023 The petitioner has a grievance that certain persons have encroached upon a public land in the nature of road. Seeking a direction from this Court to the respondents to remove such encroachments, the present writ application has been filed in the nature of Public Interest Litigation.

The petitioner has a remedy of approaching the authorities under the Bihar Public Land Encroachment Act, 1956 as well as Section 133 of the Cr.P.C.

We are not inclined to entertain the present writ application, the petitioner having not invoked statutory remedy



under the aforesaid provisions.

The writ application is, accordingly, dismissed with a liberty to the petitioner to invoke statutory remedy first, before appropriate forum, in accordance with law.

(Chakradhari Sharan Singh, ACJ)

(Madhuresh Prasad, J)

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