

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11009 of 2017

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Vijay Kumar Jha Son of Sri Raj Kumar Jha Resident of Village - Dhangar
Madanpur, P.S. - Parsauni, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue Department,
Govt. of Bihar, Patna
2. The Collector-Cum-District Magistrate, Sitamarhi.
3. The Sub Divisional Magistrate, Belsand, Sitamarhi.
4. The Circle Officer, Parsauni, Sitamarhi.
5. Ramesh Kumar Jha son of Late Kedarnath Jha Resident of Mohalla -
Dhangar Mandapur, P.S. - Parsauni, District - Sitamarhi.
6. Shail Devi wife of Ramesh Kumar Jha R/o Village - Dhangar, Mandapur,
P.S. Parsauni, District - Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kumar,Adv.
For the Respondent/s : Mr.Sajid Salim Khan,SC-25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-04-2023 The present writ petition has been filed
seeking the following relief:-

*“1. That this is an application for issuance
of the appropriate writ of Mandamus or
other and for directions commanding the
respondents to remove the encroachment
from the Public Land (Rasta) bearing
Khata No. 1607, Khesra No. 1183 under
Thana No. 33, Area-3 Decimal,
Mauza+Village- Madanpur, P.S.- Parsauni,
District-Sitamarhi which is recorded in the
Sirishta of Government of Bihar and the*



same has been encroached and possessed by construction made by private respondent No. 5 & 6 Ramesh Kr. Jha.

However, earlier on the complaint, proceedings were initiated, Anchal Amin reported the encroachment and the C.O verified the same even, the S.D.M also directed to remove the encroachment on report of C.O. and Amin, by letters showing letter numbers as stated hereinafter but neither encroachment case was registered nor final decision was taken as per provisions resultantly the said encroachment is still in existence and all proceedings are kept in abeyance as being not effective since year 2011.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Parsauni, District-Sitamarhi, for redressal of his aforesaid grievance. Liberty so sought is granted.

It is needless to state that in case the petitioner approaches the Circle Officer, Parsauni, District-Sitamarhi, by filing appropriate petition under the provisions of the Bihar Public Land



Encroachment Act, 1956, within a period of four weeks from today, the same shall be considered, in accordance with law and after hearing the affected parties, appropriate orders shall be passed thereon, forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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