

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15191 of 2017

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Deonath Prasad Singh Son of late Machhu Singh Resident of Village-
Narayanpur, P.O. Birma Lakhanssem, P.S. Mahua, District Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Director, Primary Education, Bihar, Patna.
3. The Regional Deputy Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Vaishali at Hajipur.
5. The Sub-Divisional Officer, Mahua, Distt. Vaishali.
6. The District Education Officer, Vaishali at Hajipur.
7. The District Panchayat Raj Officer, Vaishali at Hajipur.
8. The Block Development Officer, Rajapakar, Distt. Vaishali.
9. The Circel Officer, Rajapakar, Distt. Vaishali.
10. The Mukhiya Panchayati Raj Birma Lakhanssem, Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Surendra Kishore Thakur, Advocate
For the Respondent/s	:	Mr.M. Pd. Yadaw-GP 23
	:	Mr. Rajesh Kr. Sinha, AC to GP 23

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

*“(i) For issuance of writ in the nature of
mandamus commanding and directing the
Respondents- Authority to remove the
encroachment from the campus of Basic
Middle School Narayanpur Bujurg and
remove all the construction illegally
constructed by the Mukhiya in connivance
with the Panchayati Raj Officer who, without*



taking prior permission from the Education Department, had constructed a Panchayat building on the land of the Basic School.

(ii) For further direction to the Respondents-Authority to hold an enquiry to take appropriate action against the Respondents-Authority who illegally making structure over the land of the Basic School which creates inconvenience to the students of the school and in fact the spirit of donor is going to be frustrated.

(iii) For further direction to the Respondents-Authority to give effect to the letter no. 271 dated 24.2.2014, issued by the District Programme Officer (Est.) whereby a letter was sent to the District Panchayati Raj Officer to stop the construction with immediate effect.”

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

It is needless to state that in case, the petitioner approaches the Circle Officer, Rajapakar, District- Vaishali 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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