

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2783 of 2023

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Munna Prasad S/o Late Sitaram Sah R/o Village- Bairiya, Post- Kolhua
Paigambarpur, Near Bairiya Field, Shiv Mandir, P.S.- Ahiyapur, Anchal-
Kanti, District- Muzaffarpur, State- Bihar, PIN- 843108.

... .. Petitioner/s

Versus

1. The State of Bihar through the Court of Additional Collector, Muzaffarpur.
2. The District Magistrate-cum-Collector, Muzaffarpur.
3. Sanjeev Kumar Srivastava, S/o Parasnath Srivastava R/o Village- Bairiya,
Post- Kolhua Paigambarpur, P.S.- Ahiyapur, Anchal- Kanti, District-
Muzaffarpur, State- Bihar, PIN- 843108.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sameer Kumar, Adv.
For the Respondent/s : Mr. W.A. Khan, AC to SC-25.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner at the very outset
submits that he is not pressing his application for prayer no.1(i).
rather he is only pressing his application for prayer no.1(ii)
which is a direction to respondent no.2 to remove the illegal and
unlawful encroachment or obstruction on the public land created
by respondent no.2 and 3.

3. Learned counsel for the State submits that purpose
of removal of encroachment on a public land there is a separate
law i.e. Bihar Public Land Encroachment Act, 1956 (Bihar Act
XV, 1956).



4. Upon specific query by the Court from the counsel for the petitioner that whether petitioner has filed any representation before the authority under the Bihar Public Land Encroachment Act, 1956 (Bihar Act XV, 1956), he submits that no such representation has been filed.

5. In this background, petitioner is directed to file representation before the authority under the Bihar Public Land Encroachment Act, 1956 (Bihar Act XV, 1956) and avail his remedy.

6. With this direction, the present Writ Petition stands disposed off.

(Dr. Anshuman, J.)

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