

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1714 of 2023

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Satya Narayan Jha Son of Late Chhedilal Jha, Resident of Vijay Nagar, P.S. - Banka, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner, Bhagalpur Division, Bhagalpur.
3. The Collector, Banka.
4. The S.D.M. Banka.
5. The District Panchayat Raj Officer, Banka.
6. The Block Development Officer, Banka.
7. The C.O. Banka.
8. The Mukhiya Garm Panchayat Kakbara, P.S. - Banka, District - Banka.
9. Sunil Kumar Yadav, Husband of the Mukhiya Gram Panchayat - Kakbara, P.S. and District - Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajib Ranjan Jha, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (SC 25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-03-2023 The present petition has been filed seeking the following reliefs :-

“(i) For issuance of writ or writs, direction commanding the respondents to remove encroachment from the Khesra No. 3275 which is a Kerhre- Hind land and is public road since 1905 and only access road for public at large on which gymnasium (herein after referred as Gym) was constructed at the instance of respondent no. 8 and 9 in collusion with respondent no. 7 by which the



petitioner is facing hardship to reach on the road which is his only access road.

(ii) For issuance of consequential writ or writs restraining the respondents to make any construction by encroaching the road.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Banka 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, Banka 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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