

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18962 of 2016

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Amirul Hoda Son of Late Sheikh Jainul, resident of Village- Mauje Amwa
Vijaypur, Police Station- Kuchay Kote, District Gaopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Gopalganj, District- Gopalganj.
3. The Superintendent of Police, Gopalganj, District- Gopalganj.
4. The Sub-Divisional Officer, Sadar Gopalganj, District- Gopalganj.
5. The Circle Officer, Circle Office, Kuchay Kote, District- Gopalganj.
6. The Officer-in-charge, Kuchay Kote Police Station, District Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh,Adv.
For the Respondent/s : Mr.Raj Kishore Roy,GP-8

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-04-2023 The present writ petition has been filed
seeking the following reliefs:-

“1.(i) For issuance of a writ in the nature of Mandamus or any other appropriate writ, order or direction directing the respondent Nos. 1 to 6 to remove the encroachment of a pucca construction of foundation of a temple from Gairmajarua Aam Public Road pertaining to Khata No.117,Kheshra No.685 situated in Village-Diara Vijaypur under Kuchay Kote Police Station, District-Gopalganj, which is the front face of the petitioner's residential plot and rasta. Some anti-



social elements of Hindu Community are adamant to construct a temple over the said public road with a view to grab the front face of the petitioner's residential Plot (Rasta) and to disturb the communal harmony of the village as well as create a trouble for the petitioners and other people of the locality.

(ii) For issuance of a writ in the nature of Mandamus or any other appropriate writ, order or direction directing the respondents to take appropriate action against the persons/anti-social elements of the Hindu Community who are adamant to encroach the Aam Public Road and front face of the petitioner's residential plot by making a pucca construction of a temple."

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Kuchay Kote, District-Gopalganj, 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, Kuchay



Kote, District-Gopalganj, 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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