

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19224 of 2015

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Kamal Kishor Sharma son of Hari Nath Sharma resident of Village -
Gajachak Muhammadpur, P.S. - Janipur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Patna.
3. The Circle Officer, Phulwarisharif, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Dr. Kislay, Advocate

For the Respondent/s : Mr. Kamlesh Kishore, AC to Standing Counsel-12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-03-2023 The present writ petition has been filed
seeking the following reliefs:-

“1(ii) For issuance of writ /order/direction in the nature of 'writ of mandamus' commanding the respondents to release the land in question which is Bihar Sarkar Gali as mentioned in the Khatiyani and map and now mostly blocked and abstracting the egress / ingress due to illegal encroachment and it is the Gali which is the only Rasta to the Petitioner's house.

(ii) For issuance of appropriate declaration that the action of the respondents concerned in not removing encroachment in question is highly illegal, arbitrary,



malicious and tantamounting to violation of the Fundamental Rights, Human Rights and Natural Right of the petitioner and his family in the facts and circumstances of the case.

(ii) For issuance of appropriate declaration that the land in question is Bihar State Gaimajarua Gali land.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Phulwarisharif, District-Patna, 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, Phulwarisharif, District-Patna, 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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