

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4972 of 2023

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Kanhaiya Sah Son of Lalvachan Sah Resident of Village- Kumhti, P.S.-
Darauli, District- Siwan. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Land Revenue and Reforms Department, Govt. of Bihar, Patna.
3. The District Magistrate, Siwan.
4. The Sub- Divisional Officer, Siwan.
5. The Circle Officer, Darauli, Siwan.
6. The Station House Officer, Darauli, Siwan.
7. Kanchan Pandey, S/o Late Ram Keshwar Pandey Resident of Village- Kumhti, P.S.- Darauli, District- Siwan.
8. Jai Govind Pandey, S/o Late Ram Keshwar Pandey Resident of Village- Kumhti, P.S.- Darauli, District- Siwan.
9. Durgesh Pandey @ Golu, S/o- Kanchan Pandey Resident of Village- Kumhti, P.S.- Darauli, District- Siwan.
10. Rukmini Devi, Wife of Kanchan Pandey Resident of Village- Kumhti, P.S.- Darauli, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prem Kumar Paswan, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-10-2023 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(i) For of an appropriate writ/order/direction
to the respondent to remove the encroachment in
Khata no. 567 Survey Plot no. 703, Area- 9
Katha 14 Dhur and Khata no. 504 Survey no.
699, Area- 16 dhur of Mauza- Kumhati, P.S-
Darouli, District- Siwan which is Gair Mazarua
Aam Rasta by Villagers encroached by
respondent no. 7 to 10.*



(ii) For issuance of appropriate writ / direction/ order to the respondent to take action on the respondent filed different date before the competent authority.

(iii) For issuance of an appropriate writ/ order/ direction to the respondent to passed other order or orders which deem fit and proper accordance with law.”

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

3. It is needless to state that in case the petitioner approaches the Circle Officer, Darauli,, District-Siwan, 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.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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