

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3658 of 2023

Alaham @ Alaham Miya Son of Late Mojdin Miyan Resident of Vilalge-Pandey Parsa, P.S.-Phulwariya District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of land Reforms, Patna.
2. The District Magistrate, Gopalganj.
3. The Sub-Divisional Officer, Hathua, Gopalganj.
4. The Circle Officer, Phulwariya, Gopalganj.
5. Sakladdin Miya Son of Late Sadik Miya Resident of Village-Pandey Parsa, P.S.-Phulwariya, District-Gopalganj.
6. Md. Diljan Miya Son of Jahruddin Miya Resident of Village-Pandey Parsa, P.S.-Phulwariya, District-Gopalganj.
7. Babujan Miya Son of Late Sakkur Miya Resident of Village-Pandey Parsa, P.S.-Phulwariya, District-Gopalganj.
8. Mustak Miya Son of Late Sukar Miya Resident of Village-Pandey Parsa, P.S.-Phulwariya, District-Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 12-07-2023

1. The present writ petition has been filed seeking the following relief:-

“That this writ petition is being filed for directing to the concern authorities to remove the encroachment over the land in question recorded as Gairmazarua Aam which in Cadastral Khatiyani being encroachment made by the private Respondent No.-5 to 8.”

2. At the outset, the learned counsel for the petitioner



submits that the land appertaining to Khata No.103, Survey No.902, Plot No.631 situated at Phulwariya, Gopalganj is recorded as ‘Gairmazarua Aam’ land in the Khatian, hence the encroachment made over the same be directed to be removed.

3. At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Phulwariya, District- Gopalganj for redressal of his aforesaid grievances. Liberty so sought is granted.

4. It is needless to state that in case, the petitioner approaches the Circle Officer, Phulwariya, 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.

5. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.07.2023
Transmission Date	NA

