

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4477 of 2023

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Ghanshyam Kumar Yadav @ Ghanshyam Yadav Son of Chhotelal Yadav,
Resident of village - Uperchhanta, P.S. Thawe, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, District- Gopalganj.
2. The District Magistrate, District- Gopalganj.
3. The Sub-Divisional Officer, Gopalganj, District- Gopalganj.
4. The Circle Officer, Manjha, District- Gopalganj.
5. Dhrup Baitha, Son of Late Ramayan Baitha, Resident of Village - Uperchhanta, P.S. - Thawe, District - Gopalganj.
6. Ram Kisun Baitha, Son of Nami Baitha, Resident of Village - Uperchhanta, P.S. - Thawe, District - Gopalganj.
7. Ram Pravesh Baitha, Son of Shiv Pujan Baitha, Resident of Village - Uperchhanta, P.S. - Thawe, District - Gopalganj.
8. Dina Nath Baitha, Son of Late Sundar Baitha, Resident of Village - Uperchhanta, P.S. - Thawe, District - Gopalganj.
9. Nanhak Baitha, Son of Late Lalmuni Baitha, Resident of Village - Uperchhanta, P.S. - Thawe, District - Gopalganj.
10. Sunil Baitha, Son of Late Lal Muni Baitha, Resident of Village - Uperchhanta, P.S. - Thawe, District - Gopalganj.
11. Budhan Baitha, Son of Rangeela Baitha, Resident of Village - Uperchhanta, P.S. - Thawe, District - Gopalganj.
12. Manoj Baitha, Son of Swami Nath Baitha, Resident of Village - Uperchhanta, P.S. - Thawe, District - Gopalganj.
13. Dilip Baitha, Son of Late Baliram Baitha, Resident of Village - Uperchhanta, P.S. - Thawe, District - Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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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 application is being filed for issuance of an appropriate writ/ order/ direction including the writ in the nature of mandamus for direction to the official respondent particularly respondent no. 4 to get remove the encroachment from the village connecting road pertaining to Khata no. 155, Khesra no. 770, and Khata 153, Khesra no. 778, situated at village- Uperchhanta, P.S- Thawe, Anchal- Manjha, District- Gopalganj, which have encroached by respondent no. 5 to 13.”

2. In case the aforesaid land in question is a public land, the petitioner is granted liberty to approach the Circle Officer, Manjha, District- Gopalganj, who shall examine the matter and, if so required, initiate appropriate proceedings under the provisions of the Bihar Public Land Encroachment Act, 1956, whereupon, the same shall be taken to its logical conclusion by the Circle Officer, Manjha, District Gopalganj, after giving adequate opportunity to the affected persons to put forth their defence, and then the final order under



Section 6(1) of the Bihar Public Land Encroachment Act, 1956 shall be passed in accordance with law, forthwith.

3. The 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	19.07.2023
Transmission Date	NA

