

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8567 of 2016

Pushpendra Kumar @ Tunni Singh S/o Late Hari Prasad Singh, R/o Village Chawki P.S.- Sahabpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Dept. of Revenue and Land Reforms Govt, of Bihar, Patna.
3. The Commissioner, Munger Division, Munger.
4. The Collector-cum- District- Magistrate, Begusarai.
5. The Sub Divisional Officer, Balia, Begusarai.
6. The Anchal Adhikari Circle Officer, Sahebpur Kamal, Begusarai.

... .. Respondent/s

Appearance:

For the Petitioner/s	:	Mr.Arvind Kumar Sharma, Advocate Mr. Pramod Kr. Sinha, Advocate Mr. Chetan Kumar, Advocate Mr. Chhitiz Parasar, Advocate
For the Respondent/s	:	Mr. Priyadarshi Matri Sharan, AC to AAG-15

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 25-07-2023 1. The present writ petition has been filed seeking the following relief:-

“1. That this writ application is being filed for issuance of appropriate writ or writs, in the nature of the writ of (i) Certiorari quashing the notice dated 11.04.2016 (Annexure-5) and the letter contained in Letter No. 429 dated 27.04.2016 (Annexure-6) issued under the signature of the Anchal Adhikari, Sahebpur Kamal,



respondent no. 6, alleging encroachment done by the petitioner of the land of Revenue Court, Chowki by dismantling its wall (ii) Mandamus directing/commanding/restraining the respondents from proceeding with the encroachment proceeding pursuant to the said notices contained in Annexure-5 & 6 inasmuch as, no land of Revenue Court, Chowki rather the petitioner is in possession of his own land on which the petitioner has perfected his right, title, interest and possession under settlement made by the ex-landlord and by after the long passage of time and stay of the operation of the impugned notice contained in Annexure-5 & 6 of this writ application."

2. At the outset, the learned counsel for the respondent-State has admitted by referring to the counter affidavit filed in the present case that as per Register-2, rent receipt is being granted from 1962-63 and as far as Jamabandi No. 20 is concerned, rent receipt is being granted since the



year 1982-83, with regard to the land of the petitioner in question, hence the respondents be granted liberty to take recourse to the due process of law in case they are sanguine about their claim to the effect that the land in question is a public land/road. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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