

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4475 of 2023**

Arjun Prasad Son of Late Saryug Prasad, Resident of Village Bamapur, Post Office Gowasa Shikapura, Police Station- Pandarak, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Sub Divisional Officer, Barh, District Patna.
4. The Circle Officer, Pandarak Circle, District Patna.
5. Siri Yadav @ Sri Prasad, son of Late Shyam Lal Yadav, resident of Village Jagmohan Sthan, Bamapur, Police Station Barh, Block Barh, District Patna.
6. Bullu Yadav, son of Late Badal Yadav, resident of Village Jagmohan Sthan, Bamapur, Police Station Barh, Block Barh, District Patna.
7. Jogi Yadav, Son of Late Rameshwar Yadav, resident of Village Jagmohan Sthan, Bamapur, Police Station Barh, Block Barh, District Patna.
8. Ajay Yadav, Son of Late Rameshwar Yadav, resident of Village Jagmohan Sthan, Bamapur, Police Station Barh, Block Barh, District Patna.
9. Raj Kumar Yadav Son of Late Rameshwar Yadav, resident of Village Jagmohan Sthan, Bamapur, Police Station Barh, Block Barh, District Patna.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Ravi Shanker Pankaj, Adv.

For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      09-10-2023

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

*“1. That, this writ application is being filed for issuance of writ/writs, order/orders, command/commands, direction/directions and for issuance of a writ in the nature of Mandamus commanding and directing the Respondents no. 2 and 4 to remove the encroachment over Khata No. 1731, Khesara no. 2085, Area 36 Decimal situated*



*in Mauja Pandarak Thana no. 10 in Police station and Circle Pandarak, District Patna, which has been encroached by the private respondents 5 to 9 and make assure that not to encroach over the Public Land, entered as Gair Majarua Bakabje malik, in Register II, and Zamabandi belongs to State of Bihar in Khatiyan with nature Parati Kadim, which has been used for social and agriculture purposes like Puja and marriage Pandal, Khalihan(Barn) by the local people and for Aam rasta since long back, Petitioner further prays for a direction to the state Respondents to initiate a proceeding for removing the encroachment made by the private respondents 5 to 9 on the said Public Land Pratik Kadim in Khatiyan after due measurement and hearing the parties as causing hindrance and obstruction in the movement of public at large which has been used as Khaliyan, in marriage and Puja Pandal purposes and Aam Rasta by the local people, and further prays for any other relief/ reliefs for which petitioner found entitled be also given in the fact and circumstances of this case.”*

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Pandarak Circle, District Patna, 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, Pandarak Circle, 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.

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

**(Mohit Kumar Shah, J)**

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