

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4874 of 2023

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Mahendra Rai Son of Munshi Rai, Resident of Village Bheriyahi, P.S. Chiraiya, District East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Motihari, East Champaran.
3. The Land Reforms Officer, Sikarhana, Dhaka, Motihari, East Champaran, Motihari.
4. The S.D.O. Sikarhana, Dhaka, District East Champaran, Motihari.
5. The Circle Officer, Chiraiya, East Champaran, Motihari.
6. The Anchal Amin, Chiraiya, East Champaran, Motihari.
7. Surendra Rai, son of Late Hardeo Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
8. Shivnarayan Rai, Son of Late Bihari Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
9. Bhikham Rai, son of Late Ganga Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
10. Parmanand Rai, son of Late Shivdayal Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
11. Ranjeet Rai, son of Late Ramsharai Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
12. Harilal Prasad Yadav, son of Late Ramshwarup Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
13. Brijkishore Rai, son of Late Bramdeo Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
14. Jokhu Rai, son of Late Shiv Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
15. Aamit Rai, son of Late Kishori Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
16. Mohan Rai, son of Late Kamal Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
17. Maya Rai, son of Late Laxman Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
18. Wakil Rai, son of Late Laxman Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
19. Bigu Rai, son of Late Laxman Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
20. Pannilal Rai, son of Late Laxman Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.



21. Jiyalal Rai, son of Late Kamal Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
22. Sukhal Rai, son of Late Kamala Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.
23. Chandra Rai, son of Wakil Rai, resident of Village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran, Motihari.

... ... Respondent/s

Appearance :

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

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. This is an application for issuance of writ /writs, order/orders, direction/directions mandamus to respondent No. 2, (The District Magistrate, East Champaran, Motihari) and Respondent No. 5, The Circle Officer, Dhaka at Motihari, East Champaran) to vacate the Aam Gairmajarua of the road and Pokhar which was used by general people last several years as Khata No. 07, Khesra No. 10440, 10303, 10441 of total area 50 decimals situated in village Khartari, Tola Bhediyahi, P.S. Chiraiya, District East Champaran which was used by private respondents and granted of all other consequential benefit and/or any other relief for which petitioner on found entitled to facts and circumstances of the case.”

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



seeks liberty on behalf of the petitioner to approach the Circle Officer, Chiraiya, District-East Champaran, Motihari, 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, Chiraiya, District-East Champaran, Motihari, 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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