

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4733 of 2023

Mustak Mansuri S/o- Md. Salim R/o- Village- Matauna, P.O.- Dewari
Matauna, P.S.- Sursand, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Sitamarhi.
2. The Sub-Divisional Magistrate, Sitamarhi.
3. The Circle Officer, Anchal- Sursand, District- Sitamarhi.
4. Jagdeo Rai, Son of Ram Jatan Rai. Resident of Village- Matauna, P.O-
Dewari Matauna, P.S.- Sursand, District- Sitamarhi.
5. Satrudhan Rai, Son of Jagdeo Rai Resident of Village- Matauna, P.O-
Dewari Matauna, P.S.- Sursand, District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Mazharul Hassan, Advocate
For the State : Mr.Raj Kishore Roy (GP-18)
For the Respondents No. 4 & 5 : Mr. Subhash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-07-2023 1. The present writ petition has been filed
seeking the following relief:-

“1. That this present writ application is being filed before this Hon'ble Court for direction or directions and order or orders to the Authority concerned to remove the encroachment which has been created by Respondents No. 4 and 5.

The petitioner has filed a petition before the Circle Officer, Anchal- Sursand, District- Sitamarhi dated 06.03.2023. That Respondents



No. 4 and 5 have been encroached the public road land bearing Plot No. 1973, Area 1.12 Decimal and Plot No. 1494 Area 0.41 decimal situated at Village-Matuana, Thana No. 51, Anchal-Sursand, District- Sitamarhi. Side Road encroached by Respondents No. 4 and 5 by making Huts and Bathan by hooks and crooks. So, people of locality are facing many problems to go to village by Road and a Main Drain was also flown away by the land and Nala Yojna also passed but Respondents No.4 and 5 are not ready to remove encroachment over the Public land."

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Sursund, District-Sitamarhi, 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, Sursand, District-Sitamarhi, 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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