

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5606 of 2023

=====

Mishrilal Ray S/o Late Tilakdev Ray, resident of Village - Hardi, P.S. -
Motipur, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate-cum-Collector, Muzaffarpur.
4. The Additional Collector, Muzaffarpur (West).
5. The Deputy Collector, Land Reforms, Muzaffarpur (West).
6. The Sub Divisional Officer, Muzaffarpur (West).
7. The Circle Officer, Motipur, District - Muzaffarpur.
8. Dinesh Kumar Ray, S/o Late Hari Rai, Resident of Village - Hrdi, P.S. - Motipur, District - Muzaffarpur.
9. Bajrangi Paul S/o Late Hari Rai, Resident of Village - Hrdi, P.S. - Motipur, District - Muzaffarpur.
10. Rakesh Ray Son of Jhapsi Ray, Resident of Village - Hrdi, P.S. - Motipur, District - Muzaffarpur.
11. Pawan Kumar, Son of Jhapsi Ray, Resident of Village - Hrdi, P.S. - Motipur, District - Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Raju Kumar
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-05-2023 The present writ petition has been filed seeking the
following reliefs:-

“1(I). To issue an appropriate order/s, direction/s.
including a writ preferably in nature of Mandamus
commanding the Circle Officer, Motipur
(hereinafter referred to as /collector appointed
under section 2 (i) of the Bihar Public Land



Encroachment Act 1956) to remove the encroachment from the public land measuring an area 37 decimal appertaining to Khesara No 852, 853 stood recorded as Gairmazarua Aam land in record of rights situated in Village Panchayat Raj P.S. Motipur, District -Muzaffarpur encroached by the private respondents.

(II). To direct the respondent No. 7 (hereinafter referred to as Circle Officer, Motipur) to remove encroachment from the abovementioned land causing inconvenience to the Public at large in passage through the way following initiation of encroachment proceedings under Section 3(1) of the Bihar Public Land Encroachment Act, 1956.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Motipur, District-Muzaffarpur, for redressal of his aforesaid grievance. Liberty so sought, is granted.

It is needless to state that in case, the petitioner approaches the Circle Officer, Motipur, District-Muzaffarpur, 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.



The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

