

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18610 of 2015

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Sitesh Kumar son of Dinesh Prasad, Resident of village and P.O. and P.S.-
Majorgunj, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate-cum-Collector, Sitamarhi
3. The Circle officer, Majorganj, Sitamarhi
4. Asharfi Ram, Son of Rambriksha Ram
5. Rambriksha Ram, son of Mansif Ram
6. Hiralal Ram, son of Rambriksha Ram
7. Sunil Ram son of Rambriksha Ram
8. Shankar Ram, son of Meghu Ram
9. Rajesh Ram, son of Shankar Ram, Private Respondent Nos. 04 to 09 are residents of village- Khairwa, P.O. and P.S.- Majorganj, District- Sitamarhi

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar,Adv.
For the Respondent/s : Mr.Santosh Chandra Bhaskar,AC to GP-11

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-03-2023 The present writ petition has been filed
seeking the following relief:-

“1.(i) For issuance of a writ/ order/ direction in the nature of writ of mandamus commanding and directing the respondents to remove encroachment over the Indian Govt land described as Khanta land pertaining to New Khata No. 898, Khera No. 3436 at Ma Khairwa, Thana No. 52, Majorganj Sitamarhi which is described as Khanta land through which



the entire drainage of water of Majorganj village / town used to flow but right now it has illegally been encroached completely blocking / choking the same due to said illegal encroachment over it.

(ii). For issuance of writ /order/ direction in the nature of writ of Mandamus commanding the respondents to release the Bharat Sarkar Government land in question which is a public drainage or through which water of the Majorganj village flows and it has completely been blocked/abstracted and being used as residence by making kachcha-pucca houses and huts by the encroachers nearer to the land and house of the Petitioner and other co-villagers.”

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

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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