

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7969 of 2023

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1. Lalan Prasad Kewat @ Lalan Kumar Son of Late Ram Chandra Kewat, Resident of Village-Nawratanpur, P.O.-GPO, P.S.-Kankarbag, District-Patna.
 2. Mithilesh Rai, s/o Sri Badri Rai, Resident of Village-Nawratanpur, P.O.-GPO, P.S.-Kankarbag, District-Patna.
 3. Uday Narayan Rai, S/o Sri Siya Sharan Rai, Resident of Village-Nawratanpur, P.O.-GPO, P.S.-Kankarbag, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Patna.
2. The Circle Officer, Patan Sadar, Dist.-Patna.
3. Satyendra Kumar, S/o Sri Resident of Village-Nawratanpur, P.O.-GPO, P.S.-Kankarbag, District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-11-2023 Heard the learned counsel for the parties.

2. Order dated 15.03.2023 was passed in Encroachment Case No. 37 of 2020-21 by the Circle Officer, Patna Sadar under Section 6(1) of the Bihar Public Land Encroachment Act-1956.

3. The Appeal of the same lies to the Collector but the respondent no. 3 has preferred the appeal before the Public Grievance Redressal Authority and he has passed the order dated 14.01.2022.

4. It is an admitted position that the appeal could not have been filed before the Public Grievance Redressal Authority.



5. In view of the same, the order dated 14.01.2022 passed by the Public Grievance Redressal Authority cannot be sustained and therefore the order dated 14.01.2023 is hereby quashed.

6. No consequential step shall be taken by the State.

7. Respondent no. 3 is given liberty to challenge the order of the Circle Officer before the appropriate forum in accordance with law.

8. With the aforesaid observation and direction, this application is allowed.

(Sandeep Kumar, J)

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