

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8611 of 2023

=====

Ram Kumar Chaudhary, son of Upendra Chaudhary, Resident of village
Ahiyapur, Govindpur, P.S. Mansoorchak, District Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Home Secretary, Government of Bihar, Patna.
3. The Commissioner, Munger.
4. The District Magistrate, Begusarai.
5. The Sub-Divisional Magistrate, Teghra.
6. The Block Development Officer, Bhagwanpur, District-Begusarai.
7. The Circle Officer, Bhagwanpur, District-Begusarai.
8. Chandra Shekhar Rai, son of Prabhu Rai, Resident of Village Sherpur
Sahilori, Ward No. 10, P.S. Bhagwanpur, District-Begusarai.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Hare Krishna Prasad, Advocate
For the Respondent/s	:	Mr. Mujtabaul Haque (GP-12)
		Mr. Manish Kumar, A.C. to G.P. 12

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-06-2023

The above writ petition is filed in public interest seeking removal of encroachment made by Respondent No. 8 from a piece of land more fully described in the memorandum. The petitioner also seeks for a direction that over the said land Sant Ravidas Samriti Bhawan may be constructed for which funds have been sanctioned and the Circle Officer, Bhagwanpur has also issued a No Objection Certificate.



A reading of the memorandum and also the various annexures produced indicate that the authorities are seized of the specific request made by the petitioner and that communications are being exchanged. As far as encroachment is concerned, either the authorities or even the petitioner can proceed under the Bihar Public Land Encroachment Act, 1956. In so far as the construction of a memorial, that is the policy decision of the State Government and it is not proper for us to precipitate any such construction in a particular piece of land or in a specific location; which direction also would not cater to any public interest.

As such, we refuse to entertain the writ petition and reject the same *in limine*.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

P.K.P./Anushka

AFR/NAFR	
CAV DATE	
Uploading Date	27.06.2023
Transmission Date	

