

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6892 of 2023

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Shamsul Hoda Son of Bigu Ansari Resident of village- Pakaria, P.S-
Chauradano, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Land and Revenue, Government of Bihar, Patna.
3. The District Magistrate, East Champaran at Motihari.
4. The Sub-Divisional Officer Sadar, Raxaul.
5. The Circle Officer, Chauradano, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Wasi Akhtar, Advocate
For the State	:	Mr.Sajid Salim Khan (Sc25)
For Intervenor	:	Mr.Prabhat Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-10-2023 1. The present writ petition has been filed seeking the
following relief(s):-

“1(A) For issuance of writ/order/direction commanding the respondent to remove encroachment from the Khata No-187 Plot No-1941 Area 12 Decimal, Known as Pakaria Bazar (Bifaiya Bazar) situated at village Pakaria, which is encroached by some persons though the Bazar is continuously settled with the petitioner since 2016-17.

(B) For issuance of an appropriate writ order or direction commanding the respondent authorities to fix responsibilities over the any of the public servant so that future encroachment



*would not be possible and width of the road
could not be shrinked.”*

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Chauradano, District-East Champaran, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. In case, the Circle Officer, Chauradano is of the view that the land in question, from which encroachment is being sought to be removed, is a public land, then he shall take appropriate steps, in accordance with the provisions contained under the Bihar Public Land Encroachment Act, 1956 and after hearing the affected parties, shall pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in accordance with law, forthwith.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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