

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7596 of 2023

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Mahesh Yadav @ Maheshwar Singh Yadav S/o Shankar Singh Yadav
Resident of Village- Majhariya, Ward No.- 9, P.S.- Malahi, District- East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, East Champaran at Motihari.
3. The Sub-Divisional Magistrate, Areraj, District East Champaran.
4. The Circle Officer, Circle Office Paharpur, District East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC-19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-07-2023 1. The present writ petition has been filed
seeking the following relief:-

*“1. That this writ application is being
filed for issuance of an appropriate
writ(s), order(s) direction directing
upon the respondent concern to
remove encroachment from the
Public Land/way appertaining to
Khata No.-03, Plot No.1615, Mauja-
Majhariya, Thana No.-27, Anchal-
Paharpur, District-East Champaran by
initiating encroachment proceeding
as vide order 31.08.2021, the Ld.
SDM, dated Areraj (Respondent No.-
3) directed the Circle officer,
Paharpur (Respondent No.-4) to
remove encroachment by initiating*



encroachment proceeding but, till date no any encroachment proceeding has been initiated against the encroachers.”

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

3. It is needless to state that in case the petitioner approaches the Circle Officer, Paharpur, District-East Champaran, 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.

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

(Mohit Kumar Shah, J)

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