

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9023 of 2022

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Ranjana Devi Wife of Surendra Poddar, D/o late Hardev Poddar Resident of House No.- 1038, Village- Salarpur, Bharsan, P.S.- Khagaria, District- Khagaria, at present resident of Village- Bishoni, Power House, Post and P.S.- Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Govt. of Bihar, Patna.
2. The Commissioner Bhagalpur Division, Bhagalpur.
3. The District Magistrate Bhagalpur.
4. The Sub Divisional Officer Sadar, District- Bhagalpur.
5. The Circle Officer (Anchaladhikari) Sultanganj, District- Bhagalpur.
6. The Deputy Inspector General of Police Bhagalpur.
7. The Senior Superintendent of Police Bhagalpur.
8. The S.H.O., Sultanganj Police Station District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Chandrasekhar Sharma, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 26-04-2023 The present petition has been filed seeking the following reliefs :-

“(i) For issuance of writ in the nature of mandamus commanding and directing the respondents to remove the encroachment from the Public Land, Kachchi Road, Length 40 n. and width 10-12 n. in East-West direction, the only road from exit of the petitioner's house to reach the Sultanganj Tarapur main road appertaining to Khata



No.-188, Khera No.- 1282, 1283, 1284, nature of Land- Road (Sadar) entered in the name of 'Kesar Hind', in Mouza Pirdauri, P.S. Sultanganj, Bhagalpur.

(ii) For issuance of further writ in the nature of mandamus commanding and directing the respondents, especially Circle Officer, Sultanganj and S.H.O. Sultanganj to remove the encroachment from the land in question which is a public road, in the light of order dated 26.12.2000 passed by Sub-Divisional Officer, Sadar, Bhagalpur, in Case No.- 221/1991 filed by the father of the petitioner U/S 133 Cr.P.C.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Sultanganj, Bhagalpur for redressal of her aforesaid grievances. Liberty so sought, is granted.

It is needless to state that in case, the petitioner approaches the Circle Officer, Sultanganj, Bhagalpur 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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