

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16835 of 2013

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Mosafir Prasad Son Of Late Baleshwar Prasad Resident Of Village - Saryu
Par, P.S. - Daudpur, District - Saran At Chapra

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Saran at Chapra.
2. The Addl. Collector, Saran at Chapra
3. The Superintendent Of Police, Saran at Chapra
4. The Sub-Divisional Officer, Chapra
5. The Block Development Officer, Manjhi, Saran
6. The Circle Officer, Manjhi, Saran
7. Sri Ram Narayan Prasad Son Of Ramagya Prasad Resident Of Village -
Saryupar, P.S. - Daudpur, District - Saran at Chapra
8. Sri Sheojee Prasad Son Of Sahdeo Prasad Resident Of Village - Saryu Par,
P.S. - Daudpur, District - Saran At Chapra
9. Sri Mahadeo Prasad Son Of Amir Prasad Resident Of Village - Saryupar,
P.S. - Daudpur, District - Saran At Chapra

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Narendra Kumar, Advocate
For the Respondent/s : Mr. Sanghmitra Singh, AC to GA-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-02-2023 The present writ petition has been filed seeking the
following reliefs:

"That, this writ application is being
filed for issuance of a writ/writs, order/s or
direction/s in the nature of Mandamus for
commanding the respondents authorities
(official respondents) to direct the
respondents in the light of order dated
06.09.2011 passed by Circle Officer,



Manjhi, Saran (respondent no.6) for removal of encroachment against respondents no. 7, 8 and 9 in respect of Gairmajarua land of Khata No. 181, Plot No. 234, Tauji No. 598, 828 Area 2 katha 3 dhoor, on which the private Respondent No. 7 to 9 encroached the road which has been used by petitioner with others be removed and further for issuance of writ/s, order/s or direction/s the petitioner found entitled by this Hon'ble Court in the facts and circumstances of the case."

This Court finds that in case the petitioner is aggrieved by any encroachment made over the *Gairmajarua* land, the remedy lies before the concerned Circle Officer, by taking recourse to the provisions contained in the Bihar Public Land Encroachment Act, 1956.

In such view of the matter, the present writ petition stands dismissed, however, with liberty to the petitioner to take recourse to such remedies as are otherwise available under the law.

(Mohit Kumar Shah, J)

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