

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15335 of 2013

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Bharati Devi Wife Of Sri Deo Narayan Choudhary Resident Of Supaul Ward
No.4 Supaul Nagar, Parishad P.O. Supaul, P.S. Supaul, Distt. Supaul

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector, Supaul, Distt. - Supaul
3. The Additional Collector, Supaul, Distt. Supaul
4. The Sub - Divisional Officer, Supaul, Distt. - Supaul
5. The Land Reforms Deputy Collector, Supaul, District Supaul
6. The Anchal Adhikari, Supaul, Distt. - Supaul

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Uma Shankar Singh, Advocate
For the Respondent/s : Ms. Anuradha Singh, SC 21

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-02-2023 The present writ petition has been filed seeking the
following reliefs :-

*“(i) For issuance of an appropriate writ
directing the respondents to remove the
encroachment from the lands of the
petitioner.*

*(ii) For issuance of an appropriate writ/
writs directing/ commanding the respondents
to pay compensation to the petitioner for the
encroached lands.”*

The learned counsel for the respondent- State has
pointed out that a suit bearing Title suit no. 208 of 2011 is
already pending before the learned Civil court at Supaul and



moreover, the respondent State cannot remove encroachment made by private persons over the private land of the petitioner by resorting to the provisions contained in Bihar Public Land Encroachment Act, 1956, hence, the present petition is not maintainable.

In view of the submissions made by the learned State Counsel, I do not find any merit in the present petition, hence, the same stands dismissed.

(Mohit Kumar Shah, J)

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