

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8758 of 2022

Jaikala Devi wife of Late Rajballabh Sharma, resident of Village- Navanagar,
P.S. Bidupur, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Revenue and Land Reforms Department Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The District Magistrate-cum- District Collector, Vaishali at Hajipur, District- Vaishali at Hajipur.
5. The Superintendent of Police, Vaishali at Hajipur, District- Vaishali at Hajipur.
6. The Sub- Divisional Officer, Hajipur, District- Vaishali at Hajipur.
7. The Circle Officer, Bidupur, District- Vaishali at Hajipur.
8. The Station Head Officer, Bidupur Police Station, District- Vaishali at Hajipur.
9. Upendra Sah son of Jai Kishun Sah resident of Village- Navanagar, P.S. Bidupur, District- Vaishali at Hajipur.
10. Ravi Kumar son of Upendra Sah resident of Village- Navanagar, P.S. Bidupur, District- Vaishali at Hajipur.
11. Sujit Sah son of Upendra Sah resident of Village- Navanagar, P.S. Bidupur, District- Vaishali at Hajipur.
12. Raju Sah son of Upendra Sah resident of Village- Navanagar, P.S. Bidupur, District- Vaishali at Hajipur.
13. Vikas Kumar son of Dinesh Sah resident of Village- Navanagar, P.S. Bidupur, District- Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Adv.
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-08-2023 The present writ petition has been filed seeking the
following reliefs:-

“1.(I) For issuance of an appropriate writ in the



nature of Mandamus commanding and directing the Respondent 1st set and more particularly the Respondent nos. 4 to 8 to remove the encroachment over the P.C.C. road situated in Khata No. 100, Khesra No.190 Mauza- Nawanagar, Thana- Bidupur, District- Vaishali from the illegal encroachment of the Respondent 1st set on the ground that the said road is being used by the petitioner and other villagers for their coming and going from their respective house since long.

(ii) for issuance of an appropriate writ in the nature of mandamus commanding and directing the respondent nos. 3 to 5 to take suitable disciplinary action against the respondent no.8 (Station Head Officer, Bidupur Police- Station) for dereliction in discharge his statutory public duty as also to transfer him from the Bidupur police station on the ground that on filing of miscellaneous application filed by the petitioner, the respondent no.5 directed the respondent no.8 to submit his report after making due enquiry but instead of making enquiry pursuant to the direction of the respondent no.5, the respondent no.8 had come to the house of the petitioner and abused her as also in connivance with the respondent 2nd set, the respondent no.8 is trying to close the road.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle



Officer, Bidupur, District-Vaishali at Hajipur, for redressal of her aforesaid grievance. Liberty so sought is granted.

It is needless to state that in case the petitioner approaches the Circle Officer, Bidupur, District-Vaishali at Hajipur, 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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