

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7814 of 2023

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Akhilesh Sharma Son of Ramjanam Sharma, Resident of Village Belsar, P.S. Mehendiya, Fatehabad, District Arwal, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The District Magistrate, Arwal.
3. The Sub-Divisional Magistrate, Arwal.
4. The Circle Officer, Kaler, District Arwal.
5. Bhuki Thakur, Son of Late Barud Thakur, Resident of Village Belsar, P.S. Mehendiya, Fatehabad, District Arwal, Bihar.
6. Muni Thakur, Son of Late Barud Thakur, Resident of Village Belsar, P.S. Mehendiya, Fatehabad, District Arwal, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-07-2023 The present writ petition has been filed seeking the following reliefs:-

“1.(a) For issuance of an appropriate writ in the nature of mandamus directing the respondents to remove the encroachment from public land bearing Khata no. 205, Khersa no. 1405 under Thana no. 164 in Mauza Belsar, P.S Mehandia, District Arwal which is recorded in the khatiyana as Gair Majarua Aam.

(b) For issuance of an appropriate writ/direction restraining the respondents from making any construction over the public land bearing Khata no.



205, Khersa no. 1405 under Thana no.164 in Mauza Belsar, which is the sole playground for the children of the government primary school and also serves as access road leading up to the agricultural land of the villagers including the petitioner.”

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

It is needless to state that in case the petitioner approaches the Circle Officer, Kaler, District-Arwal, 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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