

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9246 of 2023

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Mahendra Ray Son of Munshi Rai, Resident of Village Bheriyahi, P.S.
Chiraiya, District East Champaran, Motihari.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Department of Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Motihari, East Champaran.
3. The Land Reforms Officer, Sikarhana, Dhaka, Motihari, East Champaran, Motihari.
4. The S.D.O., Sikarhana, Dhaka, District East Champaran, Motihari.
5. The Circle Officer, Chiraiya, East Champaran, Motihari.
6. The Anchal Amin, Chiraiya, East Champaran, Motihari.
7. Pappu Rai Son of Late Shivnath Rai.
8. Vivek Rai Son of Late Shivnath Rai.
9. Mohan Rai.
10. Umakant Rai.
11. Kumakant Rai
Respondent no.9 to 11 sons of Vishnu Rai.
12. Babulal Rai Son of Late Harihar Rai.
13. Arjun Rai Son of Bhagwat Rai
14. Bhikhan Rai Son of Ganga Ram Rai
Resident nos. 7 to 14 are resident of Village Bheriyahi, P.S. Chiraiya,
District East Champaran, Motihari.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha (SC-19)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-11-2023

Heard the parties.

2. By way of this application, the petitioner has
prayed for the following reliefs:-



“This is an application for issuance of writ/writs, order/orders, direction/directions to respondent no.2 (the District Magistrate, East Champaran, Motihari) and respondent no.5 (Circle Officer, Chiraiya at Motihari, East Champaran) to vacate the Aam Gairmajarua road which was used by general people for last several years as Khata No.07, Khesra No.10424, 10425 total area 18.5 decimals situated in village Bhediyahi, P.S.- Chiraiya, District East Champaran which was encroached by private respondents and grant of all other consequential benefit and/or any other relief for which petitioner is found entitled to facts and circumstances of the case.”

3. The Circle Officer, Chiraiya, East Champaran, Motihari is directed to consider the pending representation/application dated 11.02.2023 filed by the petitioner. If any encroachment is found then an encroachment case shall be initiated by him and the same shall be disposed of after hearing all the affected parties including the petitioner. The aforesaid exercise must be completed by the Circle Officer within six months from the date of receipt/production of a copy of this order.

4. With the aforesaid observations and directions, this writ application stands disposed of.



5. Let a copy of this order be communicated to the District Magistrate, East Champaran, Motihari forthwith for its compliance.

(Sandeep Kumar, J)

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