

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11845 of 2022

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1. Lalit Kumar S/o Shyam Sunder Prasad, Resident of Village Makundan Bigha, P.S. Chandi, District Nalanda.
 2. Nand Kishor Prasad S/o Late Narayan Singh, Resident of Village Makundan Bigha, P.S. Chandi, District Nalanda.
 3. Sudhir Kumar S/o Yamuna Prasad, Resident of Village Makundan Bigha, P.S. Chandi, District Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Nalanda.
3. The Sub-Divisional Officer, Hilsa, District Nalanda.
4. The D.C.L.R. Biharsharif, District Nalanda.
5. The Circle Officer, Tharthari, District Nalanda.
6. Sharwan Kumar, S/o Late Jago Mahto, Resident of Village Makundan Bigha, P.S. Chandi, District Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranvijay Singh, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-05-2023 The present writ petition has been filed seeking the following reliefs:-

"i) For issuance of an appropriate writ in the nature of MANDAMUS Commanding and directing the respondent Circle Officer to initiate a proceeding against all the encroachers including respondent no.6 who have encroached the land situated in Mauza Jaitpur Thana No. 206 appertaining to Khata No. 281 Khesra No. 2038, 2062 and 2063 and Khata No. 282 Khesra No. 2003, 2044, 2058 which is either Gairmazarua Aam land or Gair Mazarua Malik land and



accordingly further for direction to the respondent authorities to take action against the encroachers and get free from encroachment of aforesaid land.

(ii) Further for direction to the respondent authorities to take appropriate decision over the representations filed by the petitioners on time without number with a prayer to get free from encroachment of aforesaid land from encroachers."

At the outset, learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the Circle Officer, Tharthari, District Nalanda for redressal of their aforesaid grievances. Liberty so sought is granted.

It is needless to state that in case, the petitioners approach the Circle Officer, Tharthari, District Nalanda 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 present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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