

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11288 of 2023

Abdul Kalamuddin @ Abadul Kalamudin Varashi S/o Late Abdul Ajij Varashi
Resident of Village Ghataon, P.S. Kudra, District Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue and Land Reforms Department Govt. of Bihar.
2. The Divisional Commissioner, Patna.
3. The District Magistrate, Kaimur at Bhabua.
4. The Land Reform Deputy Collector, Mohania, Kaimur at Bhabua.
5. The Sub-Divisional Officer, Mohania, Kaimur at Bhabua.
6. The Circle Officer, Kudra, Kaimur at Bhabua.
7. Bholu Miya @ Taffic Miya, S/o Muddi Miya, Resident of Village Ghataon, P.S. Kudra, District Kaimur at Bhabua.
8. Sonu Miya, S/o Late Muddi Miya, Resident of Village Ghataon, P.S. Kudra, District Kaimur at Bhabua.
9. DwearikaKoiry, S/o Late Raghunath Koiry, Resident of Village Ghataon, P.S. Kudra, District Kaimur at Bhabua.
10. Hasbu Niisa, W/o Late Haidar Miyan, Resident of Village Ghataon, P.S. Kudra, District Kaimur at Bhabua.
11. Binnu Miya, S/o Late Sansuddin Miya, Resident of Village Ghataon, P.S. Kudra, District Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-09-2023 1. The present writ petition has been filed
seeking the following reliefs:-

*“1. (i) For issuance of Writ in the nature of
Mandamus or any other appropriate writ/
direction to the respondents to remove
the encroachment from the village made*



in Mauza-Ghataon, Thana No. 624, Khesra No. 521, Khesra No. 1322, 1365 Rakba 25 decimal respectively in P.S. Kudra Block Kudra, District Kaimur at Bhabua. The land in question Aam Public Road encroached the respondents No. 7 to 11.

(ii) For issuance of writ in the nature of Mandamus or any other appropriate writ / direction to the respondents to start the encroachment case on the basis of application of petitioner (Annexure-1 series) dated 3.12.20 before Circle Officer, Kudra, and District-Kaimur at Bhabua.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Kudra, District-Kaimur at Bhabua, for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case the petitioner approaches the Circle Officer, Kudra, District-Kaimur at Bhabua, 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.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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