

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11332 of 2023

=====

Bijay Kumar Gupta @ Vijay Kumar Gupta Son of Late Bhrigunath Gupta
Resident of Village-Galgalia, P.S.- Galgalia, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Revenue and Land Reform, Government of Bihar, Patna.
3. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
4. The District Magistrate, Kishanganj.
5. The District Development Commissioner, Kishanganj.
6. The Executive Engineer, Road Construction Department, Kishanganj.
7. The Sub-Divisional Officer, Thakurganj, Kishanganj.
8. Circle Officer, Thakurganj, Kishanganj.
9. Jagarnath Mahaseth, Son of Late Shivilal Mahaseth, Resident of Mohalla-Old Bus Stand, Galgalia, P.S.- Galgalia, District- Kishanganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Advocate
For the Respondent/s : Mr.Archana Meenakshee, GP-6

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-08-2023

The petitioner has approached this Court with a Public Interest Litigation seeking to remove the encroachment by the 9th Respondent near the Old Bus Stand within Galgalia, Police Station Galgalia, District-Kishanganj and the land is said to be belonging to the PWD Department, Government of Bihar.



The petitioner also points out Annexure-7, where the Engineer of the Department had sought for assistance to remove the encroachment.

2. If the authority has been seized of the encroachment and proceedings are taken, it could be taken to its logical conclusion in accordance with law. Even the petitioner will have a remedy to approach under the Bihar Public Land Encroachment Act.

3. The learned counsel for the petitioner submits that there are many encroachments in the location, but, however, only one person has been impleaded as the 9th Respondent.

4. Considering all the aforesaid circumstances, we are of the opinion that the Public Interest Litigation would not be maintainable; it stands dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	17.08.2023
Transmission Date	

