

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13745 of 2022

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Sunil Kumar Sah son of Lal Babu Sah, resident of Village Shyampur, P.S. Adapur, District East Champaran at present Sainagar, P.S. Muffasil, District East Champaran, Motihari. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Department of Land Revenue and Reform, Government of Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The Land Reform Officer, East Champaran, Motihari.
4. The Circle Officer, Motihari, East Champaran.
5. Suresh Sah son of Late Gudu Sah, resident of Village Saidnagar, P.S. Muffasil, District Motihari, East Champaran.
6. Most. Sanjhariya Wife of Late Babulal Sah, resident of Village Saidnagar, P.S. Muffasil, District Motihari, East Champaran.
7. Gita Devi, Wife of Shankar Sah, resident of Village Saidnagar, P.S. Muffasil, District Motihari, East Champaran.
8. Sanjay Sah, Son of Late Janaka Sah, resident of Village Saidnagar, P.S. Muffasil, District Motihari, East Champaran.
9. Shailendra Kumar Chaudhari, son of Maheshwar Prasad Chaudhary, resident of Village Amlapatta Main Road, P.S. Nagar Motihari, District East Champaran.
10. Promod Kumar, son of Shivji Rai, resident of Village-Saidnagar, P.S. Muffasil, District East Champaran.

... .. Respondent/s

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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 MOHIT KUMAR SHAH
ORAL ORDER

2 09-05-2023 The present petition has been filed seeking the following relief :-

“(i) For issuance of writ/ writs, order/ orders, direction/ directions, mandamus to respondent no. 2 i.e. the District Magistrate, East Champaran, Motihari and respondent no. 4, the Circle Officer, Motihari, East Champaran to vacate the Aam Gairmajarua/ Malik



Gairmajarua road which was used by general people for the last several years in Khata no. 44, Khesra no. 53, 68, 182, 217, 224, 242, 249, 250, 254, 251, 259, 260, 273, 294, 295, 304, 306 and Khata no. 45, Khesra no. 119, 120, 181, 207, 252, 278 in village Saidnagar, PS- Motihari Muffasil, District- East Champaran, which was encroached by the private respondents no. 5 to 10.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, East Champaran at Motihari 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, East Champaran at Motihari 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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