

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13787 of 2022

1. Mohan Singh @ Mohan Prasad Singh son of Late Ramranjan Prasad Singh resident of Village- Raghunathpur, P.S.- Turkauliya (Rathunathpur O.P.), District- East Champaran.
2. Bhagwanti Devi, wife of Mohan Singh @ Mohan Prasad Singh, resident of Village- Raghunathpur, P.S.- Turkauliya (Rathunathpur O.P.), District- East Champaran.
3. Meena Devi, wife of Baban Singh, resident of Village- Raghunathpur, P.S.- Turkauliya (Rathunathpur O.P.), District- East Champaran.
4. Kiran Devi, wife of Pankaj Kumar Singh, resident of Village- Raghunathpur, P.S.- Turkauliya (Rathunathpur O.P.), District- East Champaran.
5. Usha Devi, wife of Harenda Chaudhary, resident of Village- Turkauliya Purvi Tola, P.S.- Turkauliya, District- East Champaran.
6. Manish Kumar, son of Birendra Kumar Singh, resident of Village- Henari Bazar, near Gurudwara, P.S.- Motihari Town, District- East Champaran.
7. Sarita Devi, wife of Ratnesh Kumar, resident of Village and P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
3. The Collector, District- East Champaran.
4. The Sub- Divisional Officer, Motihari, District- East Champaran.
5. The Circle Officer, Sadar Motihari, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Respondent/s : Ms. Prakritita Sharma, AC to SC 25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

“(i) For issuance of a writ in the nature of Certiorari, or any other appropriate writ/s, order/s, direction/s, for quashing/setting



aside the Notice dated 28.7.2022, [contained in Annex-5 (s)], issued by the Circle Officer, Sadar Motihari, District- East Champaran, directing the petitioners to comply order by removing the encroachment from the Khata No. 51. Plot. No. 215 pertaining to Mauza- Gopalpur, Thana No. 169, Anchal- Sadar Motihari, otherwise, the petitioners will be liable to penalty provided by section 188 of I.P.C.

(ii) For issuance of writ of mandamus or any appropriate writ, order, orders, direction for commanding the respondents not to interfere with the peaceful possession of the land in question, which not comes within the preview of Public Land as defined under section 2 (3) of Bihar Public Land Encroachment Act.”

At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the respondent authorities for redressal of their aforesaid grievances. Liberty so sought, is granted.

The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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