

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15245 of 2022

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Surendra Mishra Son of Late Bilat Mishra, Resident of Village- Jagwan, P.S.- Bisfi District- Madhubani, Presently resident of Mohalla- Pulish Para, Uttar Panchpota Rajpur Sonarpur, South 24 Parganas, Kolkata (West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Superintendent of Police, Madhubani.
4. The Sub-Divisional Police Officer, Benipatti, Madhubani.
5. The Circle Officer, Bisfi Anchal, District- Madhubani.
6. The Deputy Collector, Land Reforms, Benipatti, Madhubani.
7. The Officer-in-Charge, Patauna (Bisfi) O.P., District- Madhubani.
8. The Sub-Divisional Public Grievances Redressal Officer, Benipatti, District- Madhubani.
9. Laxmi Paswan @ Kailu Paswan, Son of Rameshwar Paswan, Resident of Village- Jagwan P.S.- Bisfi, District- Madhubani.
10. Baiju Paswan Son of Laxmi Paswan @ Kailu Paswan, Resident of Village- Jagwan P.S.- Bisfi, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate
For the Respondent/s : Mr.Sheo Shankar Prasad (Sc8)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-05-2023 The present writ petition has been filed seeking the following relief:-

"i) For a direction to the Respondent-State, specially the local administration of the District of Madhubani to get the encroachment removed made over/infront of the residential house of this petitioner on behalf of the Respondent nos. 9 and 10 creating much nuisance to the petitioner but inspite of such removal, the said encroachment has



been legalized after granting aid for construction of building under the scheme of Indira Awas Yojna.

(ii) For a direction to the Respondent District Administration to fix liability of such erring official and to the punish him for such illegal distribution of public money as without proper verification of the ownership of land, the allotment under Indira Awas Scheme has been sanctioned in favour of the private Respondents.

(iii) For a further direction to the Respondents State that if they so wish can accommodate those Respondents to a suitable place after getting them removed from the present site, as the same has completely blocked the entrance of the petitioner and is having no way out of smooth exit from his residential house.

(iv) For a direction to the Respondents to compensate this petitioner after imposing heavy fine over them as despite frequent request since a pretty long time they have not been able to remove such encroachment and the petitioner is running from pillar to post."

At the outset, learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Bisfi Anchal, District-Madhubani for redressal of his aforesaid grievances. Liberty so sought is granted.

It is needless to state that in case, the petitioner



approaches the Circle Officer, Bisfi Anchal, District-Madhubani, 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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