

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18428 of 2022

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Sandeep Kumar Jha @ Sandeep Jha @ Sandeep Kumar Son of Ishwar Jha,
Resident of Village-Birpur, Purwar Toll, Block-Basopatti, P.s. Basopatti,
District-Madhubani (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Darbhanga.
3. The District Magistrate-cum-Collector, Madhubani.
4. The S.D.O. Jaynagar, Madhubani.
5. The DCLR (Deputy Collector Land Reforms), Madhubani.
6. The Circle Officer, Basopatti, Madhubani.
7. The S.H.O. of Basopatti P.S., Madhubani.
8. Chandra Shekhar Jha, S/o Late Kapileshwar Jha, resident of Village-Birpur, Post-Birpur (Loharpatti), P.S. and Block-Basopatti, District-Madhubani.
9. Baidhnath Jha, S/o Late Bindeshwar Jha, resident of Village-Birpur, Post-Birpur (Loharpatti), P.S. and Block-Basopatti, District-Madhubani.
10. Vivek Jha, S/o Chandra Shekhar Jha, resident of Village-Birpur, Post-Birpur (Loharpatti), P.S. and Block-Basopatti, District-Madhubani.
11. Dilip Jha, S/o Baidhnath Jha, resident of Village-Birpur, Post-Birpur (Loharpatti), P.S. and Block-Basopatti, District-Madhubani.
12. Pradeep Jha, S/o Baidhnath Jha, resident of Village-Birpur, Post-Birpur (Loharpatti), P.S. and Block-Basopatti, District-Madhubani.
13. Prakash Jha, S/o Baidhnath Jha, resident of Village-Birpur, Post-Birpur (Loharpatti), P.S. and Block-Basopatti, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mrs.Pooja Kumari, Advocate
For the Respondent/s	:	Mr.Md. Khurshid Alam (AAG-12)
		Mr. Asif Kalim, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2023 The present writ petition has been filed
seeking the following reliefs:-

"I.For issuances of writ/writs, Order



(orders, Direction/ Directions in the nature of mandamus, commanding the respondents to immediately remove the unlawful obstruction or nuisance which is created by the Respondents No 8 to 13 and forcibly encroach the public land (Aam Rasta land), which is situated under Mauza Birpur vide Khata No. 496 old, and Khesra No 2979 and 2976, which is situated under Mauza Birpur P.S.- Basopatti, District-Madhubani, whereby and whereunder the Aam Rasta land forcibly encroached by the private respondents, therefore, the petitioner, praying for removal of obstruction over the Aam Rasta land, which is also used by the petitioner being the Aam Public.

II. For further direction upon the respondents, particularly to the respondents no. 3, 6 and 7 to immediately remove the encroachment over the Public Land used by the general people, but the Private Respondents, have forcibly encroached the Aam public Land, through the Katila wire", Therefore petitioner along with the general public, couldn't freely move over the Aam Rasta Land, due to the unlawful obstruction, by which the petitioner has submitted an



application before the Circle Officer, Basopatti, as well as the S.D.O. Jaynagar, Madhubani, under the provision of Section 133 of the Cr.P.C. read with Section-3 of the Bihar Public Land Encroachment Act, 1956.”

After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, for redressal of the aforesaid grievances.

Liberty so sought is granted.

The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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