

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.458 of 2018

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Baleshwar Chaudhary S/o Late Govind Choudhary, resident of village-
Mahtha Gonth, P.S. Ladania, District-Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Madhubani
3. The Subdivisional Officer, Jaynagar, Madhubani
4. The Subdivisional Public Grievances Redresal Officer, Jaynagar,
Madhubani.
5. The Anchal, Anchaladhikari, Ladania District Madhubani.
6. Shibu Choudhary son of Late Ajji Choudhary
7. Nilkamal Choudhary S/o Late Ajji Choudhary.
8. Bindeshwar Choudhary S/o Late Laxman Choudhary.
9. Rajendra Choudhary S/o Late Chande Choudhary

All the Respondent No. 6 to 9 are residents of village- Mahtha, P.S. Ladania,
District Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar, Advocate
For the Respondent/s	:	Mr.Sajid Salim Khan, Standing Counsel-25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-03-2023 The present writ petition has been filed
seeking the following reliefs:-

“(i) For a direction to the Respondent State for removal of encroachment made over the plot in question by the Respondent nos. (6) to (9), which is a public road recorded as Gair Mazrua Aam kism 'Dagar' in the State Shirista and being used by the public in general since the time immemorial but the private respondents are making over it their



construction after encroachment.

(ii) For a direction to the private respondents not to make any construction over the said portion of land, which is a public road, being used by the petitioner and the entire villagers for going over a pond through this road.

(iii) For a direction to the respondent State to restrain the Respondents No. 6 to 9 from making any further construction over the land in question during pendency of instant writ application.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Ladania Anchal, District-Madhubani 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, Ladania 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 writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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