

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18123 of 2022

1. Pradip Sah Son of Late Uday Chand Sah, Resident of Village- Parasmani, Police Station- Sarsi, District- Purnia.
2. Lal Chand Sah Son of Late Uday Chand Sah, Resident of Village- Parasmani, Police Station- Sarsi, District- Purnia.
3. Lalit Narayan Sah Son of Late Uday Chand Sah, Resident of Village- Parasmani, Police Station- Sarsi, District- Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through Commissioner, Purnia.
2. District Magistrate, Purnia.
3. Sub-Divisional Magistrate, Dhamdaha, Purnia.
4. Circle Officer, Dhamdaha, Purnia.

...Respondents 1st set.

5. Vijay Shankar Bhagat Son of Late Suryadeo Bhagat, Resident of Village- Parashmani, Police Station- Sarasi, District- Purnia.
6. Krihsnadeo Sah Son of Late Pucho Lal Sah, Resident of Village- Parashmani, Police Station- Sarasi, District- Purnia.
7. Pinku Sah Son of Late Bhagawat Sah, Resident of Village- Parashmani, Police Station- Sarasi, District- Purnia.
8. Anil Sah Son of Late Narayan Sah, Resident of Village- Parashmani, Police Station- Sarasi, District- Purnia.
9. Subhash Sah Son of Late Nathan Sah @ Natho Sah, Resident of Village- Parashmani, Police Station- Sarasi, District- Purnia.

... .. Respondent 2nd set.

Appearance :

For the Petitioner/s : Mr.Rang Nath Choubey, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-07-2023 The present writ petition has been filed seeking the following relief:-

“1. That this is an application for issuance of appropriate writ/writs in the nature of mandamus or any other writ for direction/ directions to respondents 1st set for removing encroachment in Mauza- Parasmani, Block- Dhamdaha, Police



Station- Sarasi, District- Purnia in Khata No.918, Plot No.1925, Area-1 Acre. Therein respondents No.5 to 9 2nd set have encroached the public land including road. Petitioner filed a petition dated 24.03.2022 for removing encroachment before authority Circle Officer, Dhamdaha, Purnia (respondents no.4). But authority have not been taken any proper action to remove the encroachment.”

At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the Circle Officer, Dhamdaha, Purnia, for redressal of their aforesaid grievance. Liberty so sought is granted.

It is needless to state that in case the petitioners approach the Circle Officer, Dhamdaha, Purnia, 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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