

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16775 of 2023

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Ram Swami Singh son of late Vishwanath Singh, Residence of Village-
Ekdrava, Post-Mahadah District- Buxar 802103.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar,
Sachiwalya Patna.
2. The Principal Secretary, Land Reform Department, Patna Sachiwalya Patna.
3. The Commissioner Patna.
4. The District Collector Buxar.
5. The Sub-Divisional Officer Buxar
6. The Circle Officer, Sadar Buxar
7. The Revenue Circle Inspector, Sadar Buxar
8. The Halka Karmchari, Pandeypatti Buxar
9. Sunil Kumar, son of Jagar Nath Prasad, Muhalla - Musafirganj, Post
Gajadharganj word no-14, Police Station - Nagar Buxar. District - Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, AG
		Mr. Vikash Kumar, Advocate
		Mr. Rajesh Kumar, Advocate
		Mr. Vipin Kumar, Advocate
		Ms. Anjali Kumari, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJIV ROY)

2 01-12-2023 Heard the parties.

*2. The present petition has been
preferred for issuance of writ in the nature of
mandamus for demolish & remove to
Encroachment of Bihar Government Public land "
Gair Majaruwa Malik (Parti Kadem) according to*



Bihar Public Land Encroachment Act, 1956 under Jal Jeevan Hariyali Scheme which is established under revenue Thana No.-324, Mauja- Pandey patti, Khata no-152, plot no - 1951/3237, Area - 26 decimal, unchal-Buxar, ward no- 14, District-Buxar, public Land has not settlement by Government to any private person. Respondents has been violation to Bihar Public Land Encroachment Act, 1956 along with violation to scheme of Jal Jeevan Hariyali by Conducted Bihar Government. As will be harass to Government scheme environment of public land has not safe by concern District authority.

Social worker has objection on 18.07.2023 before the District Officer Buxar, Hon'ble Chief Minister Government of Bihar on 18/09/2023 by Registered post. Along with others concern Department by Registered post. But Respondents has no positive action against encroacher as Respondent No. 9. As Respondents had not Consider objection of social worker as yet.

3. The petitioner claims himself to be a Social Worker



and further alleges that the respondents are not acting in accordance with the Bihar Public Land Encroachment Act, 1956 (henceforth for short 'the Act').

4. From the documents on record, it is clear that though the petitioner claims that the authorities are not acting in line with 'the Act', it is certainly not his case that a proper petition has been preferred before the concerned respondent for removal of the encroachment.

5. Absolutely, no case is made out for taking up the matter as a Public Interest Litigation.

6. The petitioner, if so advised, has all the liberty to approach the appropriate authority for the redressal of his grievance. It is made clear that this Court has not touched upon the merit of the case.

7. So far as the Public Interest Litigation is concerned, it is clear abuse of the process of law.

8. The writ petition stands dismissed.

(K. Vinod Chandran, CJ)

(Rajiv Roy, J)

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