

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.797 of 2023

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Keshaw Kuwar Son of Late Khushi Kuwar Resident of Village- Chakiya-
Chintamanpur, P.O.- Chakiya, P.S.- Panapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms,
Government of Bihar, Patna.
3. The Principal Secretary, Department of Home, Government of Bihar, Patna.
4. The Collector-cum-District Magistrate, Saran at Chapra.
5. The Sub- Divisional Magistrate, Marhaurah, Saran.
6. The Deputy Collector Land Reforms, Marhaurah, Saran.
7. The Circle Officer, Panapur, Saran.
8. The Station House Officer, Panapur P.S., Saran.
9. Gunjan Kuwar, Son of Harendra Kuwar Resident of Village- Chakiya-
Chintamanpur, P.O.- Chakiya, P.S.- Panapur, District- Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 19-09-2023

The present writ petition has been filed seeking the
following relief:-

“1. That this is an application for grant of
appropriate writ(s), order(s), direction(s), to the
respondents to remove the encroachment in view of
relevant provisions of the Bihar Public Land
Encroachment Act, 1956 from Public Land/
Pathway/ water body (Gaddha), as per khatiyan
which are public Land/ the State of Bihar situated
under the district of saran, Circle- Panapur,



Revenue Mouza- Chakiya, Revenue Thana No. 42, Khata No. 448, Khesra/ Survey No. 3005, 3029 which is used as Water Body (Gaddha), pathway / Khata holder Gair Mazarua Malikan which is recorded in Khatian as water body (Gaddha), which is a village pond as per village map have been encroached by the private respondent no. 9 by way of personal use upon the abovesaid public land/ way/ water body (Gaddha) whereupon villagers were using as storage of wastage of water from the house hold/ the locality, due to which, the common people/ villagers are facing day to day difficulty and obstacles created by the private respondent.

And any other appropriate writs, order(s), direction(s) which your Lordships may deem fit and proper.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Panapur, Saran, for redressal of his aforesaid grievance. Liberty so sought, is granted.

3. It is needless to state that in case, the petitioner approaches the Circle Officer, Panapur, Saran, 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.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.09.2023
Transmission Date	NA

