

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1292 of 2023

Prabhu Prasad Kushwaha Son of Late Kashi Mahto, resident of Village-
Sareya, Police Station- Govindganj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The District Magistrate, East Champaran at Motihari.
3. The Sub-Divisional Officer, Areraj, East Champaran.
4. The Deputy Collector Land Reforms, Areraj, East Champaran.
5. The Anchal Adhikari, Areraj, District- East Champaran.
6. The Officer Incharge of Govindganj Police Station, District- East Champaran.
7. The Mukhiya, Gram Panchayat- Sareya Pipra, Police Station- Govindganj, District- East Champaran.
8. The Panchayat Secretary, Gram Panchayat- Sareya Pipra, Police Station- Govindganj, District- East Champaran.
9. Tilak Mahto Son of Late Meghu Mahto, Resident of Village- Sareya, Police Station- Govindganj, District- East Champaran.
10. Faujdar Mahto @ Rameshwar Mahto Son of Late Meghu Mahto, Resident of Village- Sareya, Police Station- Govindganj, District- East Champaran.
11. Punyadeo Mahto Son of Late Chekhur Mahto, Resident of Village- Sareya, Police Station- Govindganj, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Yogesh Mishra, Sr. Adv.
Ms. Swati Mishra, Adv.
For the Respondent/s : Mr. Rishi Raj Sinha (Sc19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 30-07-2024 The present writ petition has been filed seeking the



following reliefs:-

“1(A). An appropriate writ, order or direction commanding the respondents specially the respondent Anchal Adhikari and the D.C.L.R. to remove encroachment from the road land bearing no.3286 in front of the petitioner land bearing S.P.No.3283, within a time frame, be issued.

(B). An appropriate writ, order or direction commanding the respondents to forebear from implementing the sanctioned construction of houses of the respondent 3rd party over the road land bearing No.3286 under the Indira Awas Yojna, be issued.

(C). An appropriate writ, order or direction commanding the respondents not to interfere with the petitioner's right to use the public road in front of his house, be issued.”

2. At the outset, the learned counsel for the Respondent-State submits that the *rasta* in question has not been obstructed and no further construction is being made as also the encroachment has stood removed, a fact which has not been controverted by the learned counsel for the petitioner.

3. At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Respondent No. 2 i.e. the District Magistrate, East Champaran at Motihari, for redressal of his subsisting grievances, if any.



Liberty, so sought, is granted.

4. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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