

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3862 of 2020

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1. Sanjay Paswan Son of Ram Kishun Paswan Resident of Village-Mor (Part in Mokamah), P.S. Mokamah, District-Patna.
 2. Ranjeet Paswan Son of Shivu Paswan Resident of Village-Mor (Part in Mokamah), P.S. Mokamah, District-Patna.
 3. Most. Karoo Devi @ Kranti Devi Widow of Late Golu Paswan @ Goral Paswan Resident of Village-Mor (Part in Mokamah), P.S. Mokamah, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Secretariate, Patna.
2. Collector of the District, Patna.
3. Deputy Collector, Land Reforms, Barh, Patna.
4. Block Development Officer, Mokamah, Patna.
5. Circle Officer, Mokamah, Patna.
6. Panchayat Secretary, Mor Panchayat, Mokamah, Patna.
7. Mukhiya, Mor Panchayat, Mokamah, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar, Adv.
For the Respondent/s	:	Mr.Md. Khursid Alam, AAG-12
		Mr.Majid Mahboob Khan, AC to AAG-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 30-10-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.i) For issuance of a writ, order or direction in the nature of Mandamus/Certiorari, quashing the third notice dated 15.11.2018/16.11.2018, bearing Gyapank No.1475, issued by the respondent no.5, i.e. the Circle Officer, Mokamah, Patna, in Encroachment Case No.01 of 2016-17 (Annexure-5 to 5/b) by which the petitioners have been



directed to vacate the encroached land themselves till 17.12.2018, failing which the same will be vacated with the help of police after 17.12.2018 and cost incurred in vacation will be charged from the petitioners;

(ii) Further be pleased to quash the second show cause notice dated 20.10.2018/15.10.2018, issued by the respondent no.5, in Encroachment case No.01 of 2016-17 (Annexure-4 to 4/a), whereby the respondent no.5 has asked the petitioners as to why action for encroaching public land be not taken against them and further the petitioners have been directed to remove the encroachment themselves.

(iii) Consequently, be further pleased to quash the first show cause notice dated 28.09.2018, issued by the respondent no.5, i.e. the Circle Officer, Mokamah, Patna, in Encroachment Case No.01 of 2016-17, by which the respondent no.5 has asked the petitioners, as to why action be not taken against them for encroaching the public land and further the petitioners have been directed to remove the encroachment themselves from the land admeasuring 735 Sq.ft., 1207 Sq.ft. & 2764.125 Sq.ft. respectively, over which katcha/pucca Jhopri, Toilet, khapadposh/brick built house and pucca pillar boundary of the petitioners are standing, which is situated at Mauza-Mor, P.S.Mokamah, District Patna, Thana no.33, appertaining to Plot no.2790.”



2. At the outset, the learned counsel for the petitioners submits that the petitioners be granted liberty to approach the Circle Officer, Mokamah, District-Patna, by filing appropriate representation and he be directed to consider the same, in accordance with law and dispose off the same, forthwith. Liberty so sought is granted.

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

(Mohit Kumar Shah, J)

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