

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5112 of 2024

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Rabi Shankar Singh Son of Late Kesho Singh Resident of Mohalla Mirganj Ara (Near Pani Tanki) P.S. Ara (Town) District- Bhojpur (Ara). At Present Secretary, Jan Hitaishi Seva Santhan Head Office-Mirganj Ara, District Bhojpur (Bihar) PIN-802301 (Registered) Under the Society Registration Act)

... .. Petitioner/s

Versus

1. State of Bihar through Principal Secretary Department of Home, Govt. of Bihar, Patna.
2. District Magistrate, Bhojpur at Ara.
3. The Sub Divisional Officer Bhojpur (Ara).
4. The Circle Officer, Sadar Ara, Bhojpur.
5. The Superintendent of Police, Bhojpur (Ara).
6. Municipal Commissioner, Ara Municipal Corporation, Bhojpur, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bachan Jee Ojha, Adv.
For the State	:	Mr. AC to AG
For the Corporation(R-6)	:	Mr. Bishwa Bibhuti Kumar Singh, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-03-2024

Heard the parties.

2. The petitioner has an alternate remedy to proceed under the Bihar Public Land Encroachment Act, 1956. There cannot be maintained a Public Interest Litigation on the subject matter nor is the invocation of the extraordinary power possible; when there is such an alternate efficacious remedy available.

3. Present petition stands dismissed with the liberty



aforesaid; without any observation on merits, or even the *locus standi* of the petitioner, which has to be decided by the Appropriate Authority under the Act of 1956.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

Anjani/-

AFR/NAFR	NAFR
CAV DATE	NA
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