

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3116 of 2024

Rakesh Kumar Singh Son of Late Awadhesh Singh, Resident of Village Baija Bigha, P.O.- Neyamatpur, P.S.- Amba, Circle Kutumba, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reform, Govt. of Bihar, Patna.
2. The District Magistrate -cum- Collector, Aurangabad.
3. The Circle Officer, Circle Kutumba, Aurangabad.
4. Ganesh Singh, S/o Late Amandeo Singh resident of Village- Baija Bigha, Circle Kutumba, P.S.- Amba, District- Aurangabad (Bihar).
5. Chhotu Singh, S/o Late Arjun Singh resident of Village- Baija Bigha, Circle Kutumba, P.S.- Amba, District- Aurangabad (Bihar).
6. Bheem Singh, S/o Late Kameshwar Singh resident of Village- Baija Bigha, Circle Kutumba, P.S.- Amba, District- Aurangabad (Bihar).
7. Mukesh Singh, S/o Late Nagdeo Singh resident of Village- Baija Bigha, Circle Kutumba, P.S.- Amba, District- Aurangabad (Bihar).
8. Pappu Singh @ Shailendra Singh, S/o Late Shyamdeo Singh resident of Village- Baija Bigha, Circle Kutumba, P.S.- Amba, District- Aurangabad (Bihar).
9. Mahendra Singh, S/o Late Kameshwar Singh resident of Village- Baija Bigha, Circle Kutumba, P.S.- Amba, District- Aurangabad (Bihar).
10. Surendra Singh, S/o Late Kameshwar Singh resident of Village- Baija Bigha, Circle Kutumba, P.S.- Amba, District- Aurangabad (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Anirudh Kumar Verma, Adv.
For the Respondent/s	:	Mr.S.D.Yadav, AAG-9
		Mr.Braj Bhushan Mishra, AC to AAG-9

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 06-05-2024 1. The present writ petition has been filed for directing the respondent no.3, i.e. the Circle Officer, Kutumba, District-Aurangabad, to remove the encroachment made over public land, appertaining to Khata No.-41, Plot No.-121,



situated at Village- Baija Bigha, Circle- Kutumba (Aurangabad),
recorded as Gairmajarua Aam land in the revenue record.

2. Per contra, the learned counsel for the respondents
submits that in case appropriate petition is filed by the
petitioner, the same would definitely be examined by the
respondent no.3, i.e. the Circle Officer, Kutumba, District-
Aurangabad.

3. Having regard to the facts and circumstances of the
case, I deem it fit and proper to grant liberty to the petitioner to
file appropriate petition under the provisions of the Bihar Public
Land Encroachment Act, 1956, before the Circle Officer,
Kutumba, District-Aurangabad and in case such a petition is
filed, within a period of three weeks from today, the respondent
no.3, i.e. the Circle Officer, Kutumba, District-Aurangabad,
shall examine the same and take appropriate action, in
accordance with law and after hearing the affected parties,
forthwith.

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

(Mohit Kumar Shah, J)

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