

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3371 of 2024**

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Bhushan Yadav Son of Late Ram Rai @ Shree Yadav Resident of Village-  
Saunaha P.S. Raxaul District-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreary, Land Reforms Revenue Department, Bihar, Patna.
2. The Collector, East Champaran.
3. The Deputy Collector, Land Reforms, Raxaul.
4. The Circle Officer, Raxaul.
5. The Sub Divisional Officer, Raxaul.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Devi Das Srivastava, Adv.  
For the Respondent/s : Mr. Ramadhar Singh, GP-25

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      06-05-2024                      The present writ petition has been filed seeking the  
following reliefs:-

“1(a). For issuance of writ in the nature of Certiorari for quashing the order dated 24.11.2022 passed in Encroachment Case No.16/2020-23 (Misc.) by the Circle Officer, Raxaul whereby and whereunder the land of the petitioner bearing Thana no.17, Khata no.3, Khesra no.61, area -4 Katha one dhur has been declared as Gairmajarua Public Land under Section-2, Sub- Section-5 of the Bihar Public Land Encroachment Act, and hence notices under section 6(I) of the Act has been issued to the petitioner and others encroachers for vacating



the said land.

(b). For issuance of writ in the nature of Mandamus directing and commanding the Respondents to declare the land of the petitioner free from the Encroachment Case No.16 of 2022-23 on the ground that the petitioner and his ancestors was/is living in the land of Thana no.17, Khata no.3, Khesra no.61. area 4 katha one dhur since more than hundred years on the basis of settlement made by the landlord and after creation of Jamabandi no.2 in Register no.2 in favour of ancestor of the petitioner, the ancestors thereafter petitioner was / is paying rent to the State of Bihar till date.”

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 24.11.2022, by filing appropriate appeal, under Section 11 of the Bihar Public Land Encroachment Act, 1956. Liberty, so sought, is granted.
3. Accordingly, the present writ petition stands disposed off.

**(Mohit Kumar Shah, J)**

Ajay/-

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