

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3627 of 2024

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Mahendra Yadav son of Chulhai Yadav, resident of Village - Amatikar, Police
Station - Barahat, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar.
2. The Collector, Banka.
3. The S.D.O., Banka.
4. The C.O., Barahat, Banka.
5. The Officer-in-charge, Barahat, Banka.
6. Gobardhan Yadav, Son of Lutan Yadav resident of Village - Amatikar, Police Station - Barahat, District - Banka.
7. Bishwanath Yadav, Son of Lutan Yadav resident of Village - Amatikar, Police Station - Barahat, District - Banka.
8. Vinod Yadav, Son of Lutan Yadav resident of Village - Amatikar, Police Station - Barahat, District - Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajib Ranjan Jha, Adv.
For the Respondent/s : Mr. Yogendra Prasad Sinha, AAG-7
Mr. Rajeev Kumar Sinha, AC to AAG-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-05-2024 The present writ petition has been filed seeking the
following relief:-

“1. That this is an application for issuance of writ or writs, direction or directions commanding the respondents particularly the Respondent No. 4 to remove the encroachment made on Gairmajarua Malik, the government land situated



at Mauza Kharba, Anchal Barahat, Thana No. 132, Touzi No. 95/4 Panchayat- Goddhabar appertaining to Khata No. 43, Khesra No. 43, 143, 148 and 184 area 12 Dec. 5 dec., 3 dec and 14 dec. respectively by constructing Pucca house, soil was poured in the well and encroached the same by constructing cattle shed, blocked the Rasta and water body and flow of water in the drainage causing loss to the farmers in irrigation by initiating a land encroachment proceeding since the said land is public land as defined in sub Section XV of the Public Land Encroachment Act, 1956.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Respondent No. 4, i.e. the Circle Officer, Barahat, District-Banka, for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case, appropriate petition is filed by the petitioner under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of two weeks from today, the Respondent No. 4 shall consider the same and take appropriate action, in accordance with law and after hearing the affected parties, forthwith.

4. Accordingly, the present writ petition stands disposed off



on the aforesaid terms.

(Mohit Kumar Shah, J)

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