

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4622 of 2024

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Raj Kumar Son of Gajendra Ray, Resident of Village - Harpur Bakhri,
Mirzapur, Police Station - Ahiyapur, Dist - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary Land Acquisition Department,
Patna, Bihar.
2. District Magistrate Muzaffarpur.
3. Circle Officer, Mushari, Muzaffarpur.
4. The Secretary Domestic Construction Private LTD. Ramdayalu Nagar,
Hajipur Road, P.S. Sadar, Dist. - Muzaffarpur.
5. Umesh Sah, Son of Late Jagar Nath Sah Resident of Village - Harpur
Bakhri, Police Station - Ahiyapur, Dist - Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Mazharul Hassan, Advocate
For the Respondent/s	:	Mr. U.S.S. Singh, GP-19
		Mrs. Shobha Choubey, AC to GP-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-06-2024 The present writ petition has been filed
seeking the following relief:-

"1. That, the present writ application is being filed for direction/directions order/orders to the Authority concerned to remove the encroachment which has been created by the respondents No. 5 and others.

The petitioner has filed application before the Circle Officer, Anchal Mushari, Dist-Muzaffarpur dated 15-01-2024 that respondent no. 5 and others, have encroached the public land at plot no.



442, 443, old plot no. 147, Area 41 decimal situated at village Harpur Bakhri, P.S. Ahiyapur, District-Muzaffarpur, the respondents have encroached the said land after overlapping the Phush, and cow Bathan and then, the local road wide about '30' or '40' but at present the Road about '8' or '10' only and Respondent No.4 constructed Road without demarcating by Amin. A Local Hat Bajar is also taken place but at present, after encroachments of that plot, it is very difficult for local People to attend Hat Bejar. Petitioner filed representation many times before Circle Officer, Mushari but uptill now no any action taken by respondent thereafter petitioner has no any remedy save and except this Writ Petition."

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Mushari, District-Muzaffarpur, for redressal of his aforesaid grievance. Liberty, so sought, is granted.

3. It is needless to state that in case the petitioner approaches the Circle Officer, Mushari, District-Muzaffarpur, by filing appropriate petition under the provisions of the Bihar Public Land



Encroachment Act, 1956, the same shall be considered, in accordance with law and appropriate action shall be taken forthwith.

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

(Mohit Kumar Shah, J)

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