

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5019 of 2024

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Shiv Chandra Prasad Yadav Son of Mahadeo Yadav, resident of village -
Inarwa, P.S. Ramgarhwa, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Department of Revenue and Land Reforms Govt. of Bihar, Patna.
2. The Collector, East Champaran, Motihari.
3. The Sub Divisional Officer, Raxaul.
4. The Circle Officer Ramgarhwa, Motihari.
5. Shambhu Prasad Yadav, S/o Magal Prasad Yadav, Resident of village - Inarwa, P.S. - Ramgarhwa Dist. - East Champaran.
6. Parmahans Prasad Yadav, S/o Harishankar Prasad Yadav, Resident of village - Inarwa, P.S. - Ramgarhwa Dist. - East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey, Advocate
For the Respondent/s : Mr.Government Pleader 20

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-06-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(A) An appropriate writ/order/s direction/s commanding the respondent no. Ito 4 to restore possession over main public road (gaiirmazurwa rasta) in connection with Khata no 103 pertaining to Khesra no.802 situated in village Inarwa, Panchyat Raj Shivanagar P.S- Ramgarhwa Disst- East Champaran which has been illegally encroached by some villager.

(B) An appropriate writ for direction to the respondents on enquiry it has been found



encroachment of road by respondent and villager. hence direction be given to remove construction made over public road obstructing to access of villagers.

(C) An appropriate writ to direct the respondent's authorities to take any coercive step against the encroacher to remove encroachment over the road.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Ramgarhwa, Motihari for redressal of his aforesaid grievances. Liberty so sought is granted.

3. It is needless to state that in case the petitioner files appropriate petition, before the Circle Officer, Ramgarhwa, Motihari under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks from today, the Circle Officer, Ramgarhwa, Motihari shall take appropriate action, in accordance with law, forthwith.

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

(Mohit Kumar Shah, J)

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