

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4608 of 2024

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Sandhya Bhattacharya Wife of Arjun Bhattacharya, resident of Village-
Dumraama, Post Office-Dumraama, Police Station- Amarpur, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Secretary, Revenue and Land Reforms Department, Government of Bihar, Old Secretariat, Bailey Road, Patna.
2. The Secretary, Revenue and Land Reforms Department, Government of Bihar, Old Secretariat, Bailey Road, Patna.
3. The District Magistrate-cum-Collector, Banka.
4. The Sub-Divisional Officer, Banka.
5. The Circle Officer, Amarpur, Banka.
6. The Executive Officer, Nagar Panchayat Amarpur, Banka.
7. Nageshwar Tapeshi, Ward Member, Ward No.- 02, Dumraama, Nagar Panchayat Amarpur, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra, Advocate
For the Respondent/s : Mr.Standing Counsel (24)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-05-2024 The present writ petition has been filed
seeking the following reliefs:-

*“1. i.For issuance of writ in the nature
of Certiorari for quashing the order
dated 22.12.2023 issued by the
District Magistrate, Banka whereby
and whereunder the Second Appeal
was disposed off with direction to the
petitioner to file measurement case for
measurement encroachment of land*



before the of Deputy Collector Land Reform, Banka without adjudication of the encroachment case and the Circle Officer, Amarpur, Banka was not supplied the measurement report to the petitioner after several demand and request for adjudication of the encroachment case in accordance with law in the interest of Justice.

ii. For further relief for quashing the Letter No.1597 dated 20.12.20213 issued under the signature of Executive Officer, Nagar Panchayat, Amarpur whereby and whereunder direction was issued to the petitioner and others for removal of encroachment from the public land within a period of 7 days and the name of Chunchun Ram Ramani excluded from the notice who has already encroached the half portion of road by making construction on the public land which was used as a public way for all members of the locality, and the encroachment case was initiated against him.

iii. For issuance of writ in the nature of Mandamus for direction to the respondents authorities for removal of



the encroachment from the public land which was encroached by Chunchun Ram Ramani and any other person after direct measurement of the public road, in presence of all the parties after service of notice in accordance with law in the interest of Justice and further relief for appropriate action on the basis of representation of petitioner pending before the authority for the purpose of proper adjudication of the case in the interest of Justice.”

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent no. 6 i.e. the Executive Officer, Nagar Panchayat, Amarpur, Banka, for redressal of her aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case the petitioner approaches the respondent no. 6 i.e. the Executive Officer, Nagar Panchayat, Amarpur, Banka, by filing appropriate representation, within a period of two weeks from today, the same shall be disposed off by a reasoned and a speaking



order, in accordance with law, within a period of six weeks, thereafter.

4. Accordingly, the writ petition stands disposed off.

(Mohit Kumar Shah, J)

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