

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5330 of 2024**

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Madan Kumar Tiwary @ Madan Tiwari Son of Late Dhanesh Tiwary  
Resident of Village- dighwa, P.O.- Baikunthpur, P.S.- Baikunthpur, District-  
Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land and Revenue, Government of Bihar, Patna.
2. The Principal Secretary, Department of Land and Revenue, Government of Bihar, Patna.
3. The District Magistrate, Gopalganj.
4. The Circle Officer, Baikunthpur, Gopalganj.
5. Banka Rai Son of Late Lal Bahadur Rai Resident of Village- Dighwa, P.O.- Baikunthpur, P.S.- Baikunthpur, District- Gopalganj.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Rajeev Ranjan, Adv.  
For the Respondent/s : Ms. Binita Singh, SC-28

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

- 2      20-06-2024                      At the outset, the learned counsel for the petitioner seeks permission to correct the depiction of Respondent No. 4 i.e. the Circle Officer, inasmuch as the same has been wrongly mentioned as Circle Officer, Bijaipur, instead of Circle Officer, Baikunthpur. Permission, so sought, is granted. Needful be done during the course of the day.
2.      The present writ petition has been filed seeking the following reliefs:-



“1(i). To issue writ of mandamus directing and commanding the respondent authorities especially Respondent No. 4 to remove encroachment caused by the respondent no.5 on the public land bearing Khata no. 1863, Khesra no. 6249, Thana no. 339, bearing area 017D Khesra No. 6259

(ii). To issue a show cause cum explanation from the respondent no. 3 & 4 why in spite of several representations and reports regarding encroachment by respondent no. 5 over the land bearing Khata no. 1863. Khesra no. 6249, Thana no. 339, bearing area 017D the same has not been removed by them.”

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Respondent No. 4 i.e. the Circle Officer, Baikunthpur, District-Gopalganj, 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, before the Respondent No. 4, within a period of three weeks from today, the Respondent No. 4 shall take appropriate steps, in accordance with law and after hearing the affected parties, forthwith.



4. Accordingly, the present writ petition stands disposed off.

**(Mohit Kumar Shah, J)**

Ajay/-

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