

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6628 of 2024

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Jyoti Raj W/o Abhijit Rajvardhan, Resident of Village- 461, Belisarai, Near Electricity Board Office, P.O. Motihari, P.S. Motihari Town, District - East Champaran, 845401.

... .. Petitioner/s

Versus

1. The State of Bihar through Addl. Chief Secretary, Home Department, Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Tirhut, Muzaffarpur.
4. The District Magistrate, East Champaran, Motihari.
5. The Superintendent of Police, East Champaran, Motihari.
6. The Sub Divisional Officer, Raxaul Sub- Division, District- East Champaran.
7. The Sub Divisional Police Officer, Raxaul Sub-Divison, District- East Champaran.
8. The Circle Officer, Ramgarhwa Circle, District- East Champaran.
9. The Officer-In-charge of Police Station Palanwa, District-
10. Dhiraj Kumar, S/o Balram Prasad, R/o Village- Pakhnahiya, P.S.- Palanwa, Ramgarhwa, District - East Champaran, 845440.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Amit, Adv.
For the Respondent/s : Mr.Standing Counsel (6)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-07-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.i. For seeking issuance of a writ in the nature of a writ of Mandamus or any other appropriate writ/order/direction to the Respondent-authorities to take immediate steps to remove the encroachment from only public road accessible to property of the Petitioner and from the land property of the Petitioner on representation of the Petitioner and



also to remove the encroachment from the land of the Petitioner which is Annexure- P5 Series.

ii. For prayer to direct the Respondent authorities to lodge FIR against erring officials and employees of Circle Office, Ramgarhwa and also take departmental action who despite prior intimation of incidents did not take any action and connived with local Mukhiya to illegally construct Community building (Saamudaayik Bhavan) from the fund of public exchequer on public road (Khatiyani recorded Gar Mazarua Aam Raasta) and also encroached upon the land of the Petitioner in violation of the due process of law as the erring officials has not acted upon the application and request of the Petitioner.

iii. For prayer to direct the Respondent authorities to restore back the possession of part of the land of the Petitioner on which the part of Saamudaayik Bhavan has been erected through encroachment by use of force in violation of the due process of law and also to remove the encroachment in form of Community building (Saamudaayik Bhavan) from the public road (Khatiyani recorded Gar Mazarua Aam Raasta).

iv. For prayer to direct the Respondent authorities to register encroachment case and to proceed as in accordance with law.”

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative



remedies as are otherwise available under the law, for redressal of her aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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