

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8279 of 2024

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Pappu Kumar S/o Ram Charitar Ray, R/o Village-Math Lohiyar, Ahir Toli,
Ward No. 2, P.S.-Harsiddi, District-East Champaran, Bihar.

... .. Petitioner/s

Versus

1. State of Bihar through Principal Secretary, Rural Works Department,
Government of Bihar, Bailey Road, Patna.
2. Principal Secretary, Rural Works Department, Government of Bihar, Bailey
Road, Patna.
3. The District Magistrate, Motihari, East Champaran.
4. Circle Officer, Harsiddhi, East Champaran.
5. Munni Lal Bhagat, S/o Chanda Bhagat, R/o Village-Math Lohiyar, P.S.-
Harsiddi, District-East Champaran, Bihar.
6. Chunni Lal Bhagat, S/o Chanda Bhagat, R/o Village-Math Lohiyar, P.S.-
Harsiddi, District-East Champaran, Bihar.
7. Jitendra Bhagat, S/o Ram Surart Bhagat, R/o Village-Math Lohiyar, P.S.-
Harsiddi, District-East Champaran, Bihar.
8. Bharat Bhagat, S/o Sita Bhagat, R/o Village-Math Lohiyar, P.S.-Harsiddi,
District-East Champaran, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prakash Chandra, Advocate
For the Respondent/s : Mr.Shiv Kumar, AC to GA-3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-07-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1. That the petitioner beseeches indulgence of
this Hon'ble Court by preferring this writ
petition with a prayer for issuance of
appropriate writ/writs in the nature of
mandamus commanding the concerned
respondents to stop the illegal construction
which is being carried by the private*



respondents over the public land bearing Khata No. 803, Khesra No. 221 situated at Mauza Math Lohiyar, P.S Harsiddi, District East Champaran, under P.S No. 134, Bihar and due to land of the petitioner has become meaningless and further due to the illegal construction of the private respondents PCC road which has been constructed on the same khesra is entirely disturb and further the private respondents are trying to make the permanent construction over the same and the officials respondents are not responding after repeated reminder and request and further the petitioner beseeches indulgence of this Hon'ble Court for the issuance of appropriate writ/writs in the nature of mandamus commanding the officials respondents to remove the encroachment over the public land bearing Khata No. 803, Khesra No. 221 situated at Mauza Math Lohiyar, P.S Harsiddi, District East Champaran, under P.S No. 134, Bihar which have been encroached by the private respondents by making the cottage over the same which affects the transportation of the said vicinity and further the private respondents have made the land of the petitioner bearing Khata No. 519, Khesra No. 213, situated at Mauza Math Lohiyar, P.S - Harsiddi, District East Champaran, under P.S No. 134, Bihar meaningless by encroaching the public land which is just adjacent to the public



road from the eastern side.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Harsiddhi, East Champaran, 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, Harsiddhi, East Champaran, by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks from today, the same shall be considered, in accordance with law and after hearing the affected parties, appropriate orders shall be passed thereon, forthwith.

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

(Mohit Kumar Shah, J)

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