

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9280 of 2015

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Yogendra Chaupal son of Late Fudi Chaupal Resident of village- Navnagar,
P.O. and P.S.- Rudrapur, Circle- Andhratharhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate-cum- Collector, Madhubani.
4. The Deputy Commissioner, Land Reforms, Jhanjharpur , District- Madhubani.
5. The Sub Divisional Officer, Jhanjharpur, District- Madhubani.
6. The Circle Officer, Andhratharhi, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Baleshwar Kamat, Advocate
For the State	:	Mr. Sita Ram Yadav, GP-16
		Mr. Rakash Kumar Shrivastava, AC to GP-16

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 21-08-2024 The present writ petition has been filed seeking the following relief:-

“1. That the present writ application has been filed for issuance of an appropriate writ(s), order(s) or direction(s) to the respondents to quash/set aside the Notice, regarding Encroachment Case NO.03/2012-2013, issued under the signature of the respondent no.6, the Circle Officer, Andhratharhi whereby and whereunder the petitioner has been noticed to remove the encroachment made by him over the road situated at the border of Navanagar and Rudrapur till 19.6.2015 and to inform the Circle Officer, failing which encroachment shall be



removed in accordance with law and cost of the same shall be taken from him (the petitioner).”

2. At the outset, the learned counsel for the respondent-State submits that the Circle Officer, Andhratharhi, has already passed the final order dated 11.06.2015, in connection with Encroachment Case No.3 of 2012-13, hence in case, the petitioner is aggrieved by the same, he can prefer an appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956.

3. At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate appeal within a period of four weeks from today. Liberty so sought is granted.

4. It is needless to state that in case appropriate appeal is filed by the petitioner, within a period of four weeks from today, the same shall be heard on merits by the appellate authority.

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

(Mohit Kumar Shah, J)

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