

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 9586 of 2024

1. Rakesh Prasad Son of Late Ayodhya Prasad, Resident of Village - Laxmipur, P.S.- Purushottampur, District - West Champaran.
2. Ravi Prakash Son of Amod Prasad Baranawal, Resident of Village - Laxmipur, P.S.- Purushottampur, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate, West Champaran, Bettiah.
3. The Superintendent of Police, West Champaran, Bettiah.
4. The Sub Divisional Officer, Narkatiaganj, District - West Champaran.
5. The Sub Divisional Police Officer, Narkatiaganj, District - West Champaran.
6. The Circle Officer, Miantand, District - West Champaran.
7. The Officer-in-Charge, P.S.- Purushottampur, District - West Chamaparan.
8. Abdur Khair, Son of Late Chokat Miyan, Resident of Village - Laxmipur, P.S.- Purushottampur, District - West Champaran.
9. Sheikh Tabarak, Son of Late Sheikh Atar Hussain, Resident of Village - Laxmipur, P.S.- Purushottampur, District - West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra, Advocate
For the Respondent/s : Addl. Advocate General (5)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-07-2024 The present writ petition has been filed seeking the following reliefs:-

"(i). For issuance of Writ in the nature of Mandamus, commanding the Respondent Authorities, especially the Respondent No. 6 to remove the encroachment over Govt. Land bearing Khata No.98, Khesra No. 204, Mauja Laxmipur having 8 katha, P.S.



Purushottampur, West Champaran, over which a particular community at the instance of private Respondents have encroached by using the said land for burial purposes (last rites rituals.

(ii). For issuance of Writ in the nature of Mandamus, commanding the Respondents especially the Respondent No. 2 to 7 to ensure that the particular community in future does not carries any encroachment by using the land for burial purposes as the same will cause grave prejudice to the Petitioners as well as other villagers for the reason that the said encroachment will affect ingress and egress.

(iii). For issuance of Writ in the nature of Mandamus, commanding the Respondent No. 6 to initiate appropriate proceeding for removal of encroachment over the land in question upon considering the detail representation dated 22.01.2024 of the Petitioners, wherein the Petitioners have clearly stated that a particular community are encroaching over the Government land and such immediate action is required to be taken to ensure the encroachment is to be removed and also no further encroachment takes place."



2. After some arguments, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to approach the Circle Officer, Miantand, district-West Champaran for redressal of their aforesaid grievances. Liberty, so sought, is granted.
3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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