

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13098 of 2018

1. Basuki Prasad Son of Late Uchit Prasad Resident of Village- Gandhi Nagar, Tarapur, Police Station- Tarapur, District- Munger
2. Jai Ram Mandal Son of Late Uchit Prasad Resident of Village- Gandhi Nagar, Tarapur, Police Station- Tarapur, District- Munger
3. Sri Kant Choudhary
4. Rama Kant Choudhary Both sons of Late Gangadhar Choudhary
5. Gopi Kant Choudhary Son of Late Gangadhar Choudhary
6. Brahmdeo Rai Son of Late Baldeo Mandal
7. Laturi Mandal Son of Late Kartik Mandal
8. Prakash Mandal Son of Late Chungi Mandal
9. Chandrajeet Kumar Son of Late Dinesh Prasad Singh
10. Samarjeet Ranjan Singh Son of Anil Prasad Singh
11. Sita Ram Singh Son of Kartik Singh
12. Narendra Nath Jha Son of Uma Kant Jha
13. Rajesh Kumar Jha Son of Uma Kant Jha
14. Durga Devi Wife of Late Satyadeo Choudhary All resident of Resident of Village- Gandhi Nagar, Tarapur, Police Station- Tarapur, District-Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Munger
3. The Sub Divisional Officer, Tarapur, Munger
4. The Circle Officer, Tarapur, Munger

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar, Adv.

For the Respondent/s : Mr.Md. Khurshid Alam, AAG-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 21-11-2024

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

“(I) To issue writ in the nature of Certiorari for quashing the notice dated 18.06.2018, issued under



the signature of Circle Officer, Tarapur, in Encroachment Case No. 10 of 2018-2019, whereby and whereunder the petitioners have been directed to remove encroachment from Plot No.320, 324, 325 and 326 Mauza-Sondiha, Police Station-Tarapur, District Munger.

(II) To command the Respondents to restrain themselves from taking undue action under Bihar Public Land Encroachment Act, without holding proper enquiry and measurement of the land in question over which the petitioners have been residing with their family members after purchase of the land and making pucca construction of house over it.”

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to avail such other alternative remedies as are otherwise available under the law, including that of filing a suit before the learned Civil Court having competent jurisdiction for redressal of their aforesaid grievances. Liberty so sought is granted.

3. Accordingly, the writ petition stands disposed off.

(Mohit Kumar Shah, J)

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