

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23543 of 2018

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Ram Niwas Tiwary Son of Parshuram Tiwary, R/o Village- Dharhara, P.S. Durgawati, District- Kaimur Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. District Magistrate, Kaimur.
3. Additional Collector, Kaimur.
4. S.D.O., Mohania.
5. Anchal Adhikari, Durgawati, Kaimur Bhabhua.
6. Mukhia Gram Panchayat Raj Cheharian, Durgawati Block, Kaimur Bhabhua.
7. Shashikant Tiwary R/o Village- Dharhara, P.S. Durgawati, District- Kaimur Bhabhua.
8. Radhshyam Tiwary, Sons of Late Shivbadan Tiwary R/o Village- Dharhara, P.S. Durgawati, District- Kaimur Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rewti Kant Raman, Adv.
For the Respondent/s : Mr.Rishi Raj Sinha, SC-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-07-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1. That this application is for issuance of a writ of mandamus to the respondents to remove the encroachment made over Plot no. 268 area 8 dec. appertaining to Khata no. 173 of Village Dharhara, P.S. Durgawati, Dist. Kaimur (Bhabhua) as Rasta but private respondents have encroached said Rasta due to which Villagers including the petitioner is facing difficulty passing through said Rasta and petitioner has no



approach to enter in his house due to which he is representing the respondents authorities for last several years but he is not getting justice in the matter.”

2. At the outset, the learned counsel for the petitioner submits that since the petitioner had earlier approached this Court by filing a writ petition, bearing C.W.J.C. No.5278 of 2019, for grant of same and similar relief, as has been prayed for in the present writ petition and in the said writ petition, a co-ordinate Bench of this court by an order dated 15.03.2019 had been pleased to direct the Circle Officer, Durgawati, District-Kaimur at Bhabhu, to initiate encroachment proceedings and pass final order under Section 6 of the Bihar Public Land Encroachment Act, 1956, the petitioner be granted liberty to invoke the contempt jurisdiction of this court, in case the aforesaid order dated 15.03.2019 has not yet stood complied with. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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