

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11234 of 2024

Jayprakash Choubey son of Shri Shivkamal Choubey @ Shivkawal Choubey
resident of village- Bandhuvarwa, House No.-66 P.S.- Ramgahrwa, District-
East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Collector, East Champaran, Motihari.
3. The Sub Divisional Officer, Raxaul.
4. The Circle Officer, Ramgarhwa, Motihari.
5. Ramdayal Sah, S/o Chokar Sah resident of village- Bandhubarwa, P.S.- Ramgarhwa, Distt.- East Champaran, Motihari.
6. Manu Gaddi, S/o Bhadai Gaddi resident of village- Bandhubarwa, P.S.- Ramgarhwa, Distt.- East Champaran, Motihari.
7. Ramdautt Gaddi, S/o Balsundar Gaddi resident of village- Bandhubarwa, P.S.- Ramgarhwa, Distt.- East Champaran, Motihari.
8. Makhan Gaddi, S/o Kamal Gaddi resident of village- Bandhubarwa, P.S.- Ramgarhwa, Distt.- East Champaran, Motihari.
9. Ramvilash Singh, S/o Late Asharfi Singh resident of village- Bandhubarwa, P.S.- Ramgarhwa, Distt.- East Champaran, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal, Advocate
For the Respondent/s : Mr.Government Pleader (24)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-08-2024 The present writ petition has been filed
seeking the following reliefs:-

*"1. A. An appropriate writ/order/s
direction/s commanding the respondents
no. 1 to 9 to restore possession over main
public road (Aamgairmazurwa rasta) in
connection with Khata no 94 pertaining to*



Khesra no.995 and 787 area about 24 decimal situated in village Bandhubarwa P.S.-Ramgarhwa District-East Champaran which has been illegally encroached by aforementioned respondents and other villagers.

B. An appropriate writ for direction to the respondents on enquiry it has been found encroachment of road by respondents/villagers, hence direction be given to remove construction made over public road obstructing to access of common people.

C. An appropriate writ to direct the respondents authorities to take any coercive step against the encroachers to remove encroachment over the road upon which they have illegally and forcibly encroached."

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Ramgarhwa, Motihari, for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case appropriate petition is filed before the Circle Officer, Ramgarhwa, Motihari under the provisions of the Bihar Public Land Encroachment Act, 1956,



within a period of two weeks from today, the Circle Officer, Ramgarhwa, Motihari shall consider the same in accordance with law and take appropriate action, forthwith.

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

(Mohit Kumar Shah, J)

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