

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11402 of 2024

Sanjay Kumar Singh S/o- Hariharnath Singh, R/O- Vill and P.O. Baiju Barhoga, Barhoga Khurd, P.S.- Basantpur, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Deputy Secretary, Revenue and Land Reforms Department, Govt. of Bihar.
3. The Divisional Commissioner, Saran at Chapra.
4. The District Magistrate, Siwan.
5. The Deputy Collector, Land Reforms, Siwan.
6. The Circle Officer, Basantpur, Siwan.
7. The Officer-in-Charge, P.S.-Basantpur, Siwan.
8. Birendra Prasad Srivastava, S/O- Bachha Prasad Srivastava, Resident of Village and P.O. Baiju Barhoga, Barhoga Khurd, P.S. -Basantpur, District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Tiwary, Advocate
For the Respondent/s	:	Mr. Ramadhav Singh, GP-25 Mr. Manish Kumar, AC to GP-25

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 01-08-2024

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. At the very outset, learned counsel for the petitioner is permitted to make necessary correction/s in paragraph No.1 of the writ application, during course of the day.

3. The present writ petition has been preferred for the following relief/s:-



“I. The answering respondents, particularly the respondent no. 6 i.e the Circle Officer, Basantpur may kindly be directed to ensure removal of encroachment made by the Respondent no.8 over the petitioner's land bearing Khata no.140, Survey no.537 situated in petitioner's village itself while constructing a pond, in highly illegal and arbitrary manner.

II. The answering respondents, particularly the respondent No. 6, may directed to extend logical end to the petitioner's complain, pending before him against the respondent no.8 from quite sometime.

III. The answering respondents may kindly be directed to disposed of the petitioner's case in view of the Hon'ble Courts order dated 11.05.2023, passed in C.W.J.C No.14998 of 2022 (Anx. 4, Pg.22)

IV. Any other relief or reliefs may kindly be allowed, for which the petitioner be found entitled in the opinion of this Hon'ble Court.”

4. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Basantpur, Siwan (respondent No.6) for redressal of his aforesaid grievances.



5. Liberty as sought is granted.

6. It is needless to state that in case, the petitioner approaches Circle Officer, Basantpur, Siwan (respondent No.6) by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks from today, the same shall be considered in accordance with law and after hearing the affected parties, appropriate orders shall be passed thereon, forthwith.

7. The writ petition stands disposed of in the aforesaid terms.

(Rudra Prakash Mishra, J)

Raj Kishore/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	08-08-2024
Transmission Date	N/A

