

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13459 of 2024

1. Gopal Ray Chandar Ray, resident of village- Patelpur, under P.S. of Surajgarha and under the District of Lakhisarai.
2. Bhonu Yadav, son of Batho Yadav, resident of village- Kajitola, under P.S. of Surajgarha and under the District of Lakhisarai.
3. Sanjay Yadav, son of Late Mahendra Yadav, resident of village- Kajitola, under P.S. of Surajgarha and under the District of Lakhisarai.
4. Mintu Yadav, son of Late Nityanand Yadav, resident of village- Kajitola, under P.S. of Surajgarha and under the District of Lakhisarai.
5. Mukesh Yadav, son of Sukho Yadav, resident of village- Kajitola, under P.S. of Surajgarha and under the District of Lakhisarai.
6. Rajesh Yadav, son of Late Jagdish Gope, resident of village- Kajitola, under P.S. of Surajgarha and under the District of Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue Department, Govt. of Bihar, Patna.
2. District Magistrate-cum-Collector, Lakhisarai.
3. Deputy Collector Land Reforms, Lakhisarai.
4. The Circle Officer, Surajgarha, Lakhisarai.
5. Block Development Officer, Surajgarha, District- Lakhisarai.
6. Banbari Ray @ Banbari Prasad Ray, son of Bhaiya Lal Mahto, Resident of village- Patelpur, P.S.- Surajgarha, District- Lakhisarai.
7. Nakul Mahto, son of Late Shivan Mahto, Resident of village- Patelpur, P.S.- Surajgarha, District- Lakhisarai.
8. Arjun Mahto, son of Late Shivan Mahto, Resident of village- Patelpur, P.S.- Surajgarha, District- Lakhisarai.
9. Bhim Mahto, son of Late Shivan Mahto, Resident of village- Patelpur, P.S.- Surajgarha, District- Lakhisarai.
10. Ramji Mahto, son of Late Shivan Mahto, Resident of village- Patelpur, P.S.- Surajgarha, District- Lakhisarai.
11. Shankar Mahto, son of Late Shivan Mahto, Resident of village- Patelpur, P.S.- Surajgarha, District- Lakhisarai.
12. Mahesh Mahto, son of Parmanand Mahto, Resident of village- Patelpur, P.S.- Surajgarha, District- Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Swapnil Kumar Singh, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, Advocate General



CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-09-2024 The petitioner has an alternate remedy to proceed under the Bihar Public Land Encroachment Act, 1956. There cannot be maintained a Public Interest Litigation on the subject matter nor is the invocation of the extraordinary power possible; when there is such an alternate efficacious remedy available.

2. Present petition stands dismissed with the liberty aforesaid; without any observation on merits, or even the *locus standi* of the petitioner, which has to be decided by the Appropriate Authority under the Act of 1956.

(K. Vinod Chandran, CJ)

(Nani Tagia, J)

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