

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19223 of 2014

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Basant Mandal Son of Saudagar Mandal Resident of Village - Ballipur, P.S. -
Hathauri, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Samastipur, District- Samastipur.
3. The Superintendent of Police, Samastipur, District- Samastipur.
4. The Deputy Collector Land Reforms, Rosra, District- Samastipur.
5. The Circle Officer, Shivaji Nagar, District - Samastipur.
6. The Officer In Charge, Hathauri Police Station, P.S. O.P. Shivagi Nagar,
District - Samastipur.
7. Siya Mandal Son of Chanchal Mandal Resident of Village - Mahdewa, P.S. -
Hathauri, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anil Chandra, Advocate
For the Respondent/s : Mr.Dhurjati Kr. Prasad, GP14

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 10-07-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(i) To remove illegal encroachment on a
public road encroached by Respondent No. 7 in
front of petitioner's house land situated at
Thana No. 17, Old Khata No. 198, New Khata
No. 513, Old Plot No. 1026 New Plot No. 2407,
village- Dumra Mohan, Anchal- Shivaji Nagar,
District- Samistipur.”*

2. At the outset, contradictory stand has been taken,
both by the learned counsel for the respondent-State as also by



the petitioner inasmuch as while on the one hand it is the contention of the learned counsel for the respondent-State that the encroachment in question has stood removed, on the other hand, it is the averment of the petitioner that the encroachment in question has not yet been removed.

3. Having regard to the disputed question of facts, existing in the present case, as aforesaid, I grant liberty to the petitioner to approach the District Magistrate, Samastipur for redressal of his grievances, regarding non-removal of the encroachment made over the public land in question. Liberty so sought is granted.

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

(Mohit Kumar Shah, J)

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