

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13675 of 2024

Achche Lal Yadav Son of Late Rama Shankar Yadav Resident of Village -
Chhapiya Khurd, Tola - Daroga Hata, P.S. - Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Collector-cum-District Magistrate, Siwan.
3. The Circle Officer, Hussainganj, Siwan.
4. Nakul Yadav Son of Late Natha Yadav Resident of Village- Chhapiya Khurd, Tola- Daroga Hata, P.S.- Hussainganj, District- Siwan.
5. Bhim Yadav Son of Late Singasan Yadav Resident of Village- Chhapiya Khurd, Tola- Daroga Hata, P.S.- Hussainganj, District- Siwan.
6. Sahdev Yadav Son of Late Gugul Yadav Resident of Village- Chhapiya Khurd, Tola- Daroga Hata, P.S.- Hussainganj, District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Respondent/s : Mr. Sarvesh Kr. Singh, AAG-13

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-09-2024 The present writ petition has been filed
seeking the following reliefs:-

*"1. I. To issue a writ in the nature of
"Mandamus" or any other appropriate writ /
writs, order or orders, directions
commanding the respondents to remove
the encroachment made over the
Gairmajarua Aam rasta, situated at Mauza-
Chhapiya Khurd, Thana No. 233, Khata No.
95, Survey No. 360/1106, area 2 Kattha 8
Dhur and 8 Dhurki, within Hussainganj
Block, Siwan, over which the Private
Respondents No. 4 to 6 have made
encroachment forcefully and obstructed the*



road of general public of the village locality by keeping Gumti/shop.

II. To hold and declare that notwithstanding the completion of process under Section 3 of the Bihar Public Land Encroachment Act, 1956 and finding of encroachment having been arrived at by the Circle Officer, Hussainganj, Siwan, the encroachment in question has not been removed, which depicts failure of execution of the order of the Executive Court itself.

III. To direct the respondents to enforce the flow and potency of law forthwith for removing the said encroachment in terms of constitutional mandate and settled principle of law as laid down by this Hon'ble Court."

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

3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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