

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14800 of 2023

Akhilesh Yadav Son of Saryu Yadav, resident of Village Choukana, P.O. Pawai, District Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, Aurangabad (Bihar).
3. The Sub Divisional Officer, Aurangabad (Bihar).
4. The Circle Officer, Deo, District Aurangabad (Bihar).
5. The Officer in Charge Deo Police Station, District Aurangabad (Bihar).
6. Ajay Yadav, son of Satendra Yadav, resident of Village Chaukana, P.O. Pawai, District Aurangabad (Bihar).
7. Banarsi Yadav, son of Late Ramdhari Yadav, resident of Village Chaukana, P.O. Pawai, District Aurangabad (Bihar).
8. Jawahar Yadav, son of Late Ramdeo Yadav, resident of Village Chaukana, P.O. Pawai, District Aurangabad (Bihar).
9. Baliram Yadav, son of Late Dhaneshwar Yadav, resident of Village Chaukana, P.O. Pawai, District Aurangabad (Bihar).
10. Santosh Yadav, son of Late Rajdev Yadav, resident of Village Chaukana, P.O. Pawai, District Aurangabad (Bihar).
11. Ram Swarup Yadav, son of Jawdhar Yadav, resident of Village Chaukana, P.O. Pawai, District Aurangabad (Bihar).
12. Jagnarayan Yadav, son of Late Pancham Yadav, resident of Village Chaukana, P.O. Pawai, District Aurangabad (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Respondent/s : Mr. Ajay (Ga5)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(a) For a direction to the Respondent authority to remove encroachment from the Public Road of village Chaukana PS Muffasil, Aurangabad, which has been encroached by the Private Respondent NO. 6 to 12 by constructing



*boundary wall of lease and hut to keep the
cattles.*

*(b) For a direction to the Respondent local
administration authority to take hard legal
action by lodging the FIR against the
encroacher who willingly encroached the public
land i.e. Road without having any valid legal
right.”*

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent no.4 i.e. the Circle Officer, Deo, District Aurangabad (Bihar). Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed by the petitioner, before the respondent no.4, under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of two weeks from today, the respondent no.4 shall consider the same, in accordance with law and after hearing the affected parties shall pass appropriate orders, forthwith.

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

(Mohit Kumar Shah, J)

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