

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14968 of 2023

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Shantosh Kumar Singh Son of Shri Bharat Prasad Singh Resident of Vilage
and P.O.-Jogiyaara, P.S. and Anchal-Bahadurpur, District-Darbhang.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector Darbhanga, District-Darbhang.
2. The Sub-Divisional Public Complaint Redressal Officer Sub-Division Sadar Darbhanga, District-Darbhang.
3. That Additional Collector Darbhanga, District-Darbhang.
4. The Superintendent of Police Darbhanga, District-Darbhang.
5. The Office Incharge of P.S. Bahadurpur O.P., Fekala, District- Darbhanga.
6. The Circle Officer, Bahadurpur Block, District-Darbhang.
7. That Executive Engineer, Rural Works Department, Darbhanga.
8. Ugra Mohan Jha Son of Yugal Jha Resident of Village-Fekala, P.O. Jogiara, P.S. Bahadurpur, District-Darbhang.
9. Indra Mohan Jha Son of Yugal Jha Resident of Village-Fekala, P.O. Jogiara, P.S. Bahadurpur, District-Darbhang.
10. Anshu Jha Son of Pran Mohan Jha Resident of Village-Fekala, P.O. Jogiara, P.S. Bahadurpur, District-Darbhang.
11. Ranjan Jha Son of Pran Mohan Jha In report Wrongly mentioned as Tuntun Jha. Resident of Village-Fekala, P.O. Jogiara, P.S. Bahadurpur, District-Darbhang.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Bali Jha, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-04-2024 The present writ petition has been filed
seeking the following reliefs:-

*“1. A) A writ of Certiorari for quashing
the act of the respondent no. 6 in the
office of the respondent by which Act
respondents are deliberately evading*



and not taking steps to remove the encroachment of the public land (Road) which has been encroached by the private respondents no. 8 to 11 in village-Fekla, District-Darbhanga, of area S.P. 59 old 743 New the respondent state should vacate the unauthorized occupation of the public land by initiation of proceeding of land encroachment. It is noted that the initiation of encroachment proceeding has already been made by the authority concerned but the private respondents are litigant, shrewd and powerful men who are the land grabber of the locality the order of removal of encroachment has already been passed still then encroachment has not been removed in Encroachment Case No. 6/2021 which is pending before the Circle Officer Bahadurpur, Darbhanga.

B) A writ of Mandamus directing the respondents State to remove the encroachment of the public land which has been encroached by the private respondents, so that construction of road completed.



C) A writ of Mandamus directing the respondent state to construct the Road after removal of encroachment from the public land.

D) A writ of Mandamus directing the respondent to not construct the Road on the private land of the petitioner.

E) A writ of Mandamus directing the respondent to pay the cost of litigation to the petitioner.”

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Bahadurpur, District-Darbhanga, 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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