

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24650 of 2013

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1. Kamta Rai S/o Late Jineshwari Rai Resident of Village- Kathrai, P.O- Siyadih, P.S- Anchal, Charpikhari, District- Bhojpur.
 2. Prabhunath Rai S/o Late Shambhu Rai Resident of Village- Kathrai, P.O- Siyadih, P.S- Anchal, Charpikhari, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Circle Officer, Charpokhari Bhojpur, Ara.
3. The Block Development Officer, Charpokhari, Block, Bhojpur, Ara.
4. The Mukhiya Of Village Kathrai, Anchal, P.S- Charpokhari District- Bhojpur, Ara.
5. Dwarika Choudhary S/O Khushi Choudhary Resident Of Village- Kathrai, Anchal- Charpokhari, District- Bhojpur, Ara.
6. Gopal Ji Rai S/O Late Yougeshwar Rai Resident Of Village- Kathrai, Anchal- Charpokhari, District- Bhojpur, Ara.
7. Vishwanath Rai S/O Late Yougeshwar Rai Resident Of Village- Kathrai, Anchal- Charpokhari, District- Bhojpur, Ara.
8. Gupteshwar Sahai S/O Baujlal Sahai Resident Of Village- Kathrai, Anchal- Charpokhari, District- Bhojpur, Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate
For the Respondent/s : Mr. K.K. Singh, AC to GP-22

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 31-07-2024 The present writ petition has been filed
seeking the following reliefs:-

*“1.(i) For issuance of appropriate writ
in the nature of Mandamus seeking
direction to respondents to remove the
encroachment made over Khata no.
291, Plot no. 951 having an area of 36
decimals situated at village-Kathrai,*



P.S. and Anchal Charpokhari of District Ara which is a public land and on the basis of application filed by petitioners along with other villagers an Encroachment Case No. 8/2001-02 was instituted before Circle Officer, Charpokhari and it was found that the land has been encroached by some persons which has caused great trouble to villagers but in spite of specific finding and repeated representations nothing has happened in this regard.

(ii) For issuance of appropriate writ in the nature of Mandamus seeking direction to respondents to not allow to put cattles on road and further not allow to make pucca construction over the Ahar which has caused great inconvenience to villagers."

2. At the outset, the learned counsel for the respondent-State submits, by referring to the second supplementary affidavit filed in the present case, that the respondents have taken all effective steps to remove the encroachment in question in light of the final order passed in Encroachment Case No. 8 of 2001-02 and Encroachment Case No. 4 of 2003-04.



3. The learned counsel for the petitioners submits that some encroachment is still remaining to be removed, hence the petitioners be granted liberty to approach the District Magistrate, Bhojpur at Ara, for redressal of their subsisting grievances. Liberty, so sought, is granted.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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