

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14090 of 2023

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Dharmendra Mahto S/o Asarfi Mahto, Resident of Village- Barwat Sena, P.S.- Bettiah Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-cum- District Magistrate, West Champaran at Bettiah.
2. The Collector-cum- District Magistrate, West Champaran at Bettiah.
3. The Additional Collector, Bettiah, West Champaran.
4. The Sub- Divisional Officer, Bettiah Sadar, Bettiah, Dist.- West Champaran.
5. The Municipal Commissioner, Municipal Corporation, Bettiah, District- West Champaran.
6. The Officer-in- Charge, Bettiah Muffasil Police Station, Bettiah, Dist.- West Champaran.
7. The Bettiah Raj, through its Manager, Bettiah, West Champaran.
8. The Manager, Bettiah Raj, Bettiah, West Champaran.
9. Hira Mahto, S/o Late Ramayan Mahto, Resident of Village- Barwat Sena, P.S.- Bettiah Muffasil, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Advocate
For the State	:	Mr.Kinkar Kumar (Sc9)
		Mr.Ashutosh Kr. Upadhyaya, AC to SC-9
For Bettiah Raj	:	Mr.Shailendra Kr. Singh, Advocate
		Mr.Utkarsha Utpal, Advocate
For Bettiah Municipal Corporation	:	Mr.Priyadarshi Matri Sharan, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-07-2024

1. The present writ petition has been filed seeking the

following relief(s):-

“1(I) To quash the notices dated 09.08.2023 and 28.08.2023 contained in Letter No. 1875 and letter No. 2034, respectively, issued in connection with Encroachment Case No. 01/2022-23 by the respondent no. 5 whereby and where under a direction has been given to the petitioner and his



father to remove their residential houses situated over a piece of land appertaining to Thana No.187, Plot No. 1627, falling within Barwat Sena Village of Bettiah Muffasil Police Station under Bettiah Municipal Corporation. (Annexure- P/2 Series).

(II) To quash the notices dated 09.01.2023 issued by the respondent no. 5 u/s 3 of Bihar Public Land Encroachment Act as issuance of these notices under the said Act is completely without jurisdiction for the respondent no. 5. (Annexure-P/1 Series)

(III) To restrain the respondents from removing/demolishing residential houses of the petitioner and his father as stated above.

(IV) To hold that the initiation of the proceeding in question under Bihar Public Land Encroachment Act by the respondent no. 5 is completely without jurisdiction.”

2. At the outset, the learned counsel for the respondent-State submits that the records of Encroachment Case No.01 of 2022-23, have been consigned, hence the present writ petition has been rendered infructuous.

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

(Mohit Kumar Shah, J)

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