

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14855 of 2023

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Pramod Kumar Thakur Son of Sita Ram Thakur Resident of Village-Masahi,
P.S.-Bhagwanpur, Dist-Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Kaimur (Bhabhua).
3. The DCLR Bhagwanpur, District Kaimur (Bhabhua).
4. The Circle Officer, Bhagwanpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Dr. Satyendra Kumar Srivastava, Adv.
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 1. The present writ petition has been filed seeking the
following relief(s):-

“1. For the issuance of an appropriate writ in the nature of mandamus commanding and directing the respondent's authorities to make a demarcation of public land over which the petitioner has allegedly been encroached the public land, in fact, petitioner had never encroached the public land appertaining to Khata no. 168, Khesra no. 248, area 18 ³/₄ situated in Mauja Masahi, Thana no. 422, and for which the petitioner had filed a detailed representation on 22.8.2023.

ii. For issuance of further direction to respondent's authorities to take appropriate step under BLD act because the petitioner has never



encroached any public land though a proceeding under the Land Encroachment Act bearing land encroachment case no. 17/2022-23 has been initiated.”

2. At the outset, the learned counsel for the petitioner submits that the notice issued under Section 6(2) of the Bihar Public Land Encroachment Act, 1956, by the Circle Officer, Bhagwanpur, District-Kaimur (Bhabhua) dated 25.05.2023, pertains to Khata No.168, Khesra No.248, whereas the plot of the petitioner is situated over Khata No.3, Plot No.314, Khesra No.337, nonetheless, the Circle Officer, Bhagwanpur, District-Kaimur (Bhabhua) is threatening to dispossess the petitioner from his land/house, thus the District Magistrate, Kaimur at Bhabhua be directed to inquire into the matter and resolve the issue.

3. Per contra, the learned counsel for the respondent-State submits that needful action shall be taken to resolve the issue, forthwith.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to approach the District Magistrate, Kaimur at Bhabhua, by filing appropriate petition with regard to his aforesaid grievances, within a period of two weeks from today, which shall be



considered in accordance with law and endeavours shall be made to resolve the issue, forthwith.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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