

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15021 of 2024

Dewanti Devi W/o Ganga Choudhary, resident of Village-Gulwaria Tola, Utri Boraw, P.S. Nokha, District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Rohtas at Sasaram.
2. The District Magistrate, Rohtas at Sasaram.
3. The Sub Divisional Magistrate, Sasaram.
4. The Circle Officer, Nokha P.S. Nokha, District-Rohtas at Sasaram.
5. Akhilesh Choudhary, S/o Mithlesh Kumar, resident of Village-Dangra Tola, P.S. Nokha, District-Rohtas at Sasaram, Pin Code-802215.
6. Mithlesh Kumar, S/o Shivnath Choudhary, resident of Village-Dangra Tola, P.S. Nokha, District-Rohtas at Sasaram, Pin Code-802215.
7. Suraj Choudhary, S/o Late Saru Choudhary, resident of Village-Dangra Tola, P.S. Nokha, District-Rohtas at Sasaram, Pin Code-802215.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vikalp, Advocate

For the Respondent/s : Standing Counsel-20

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-10-2024 The grievance of the petitioner is that in the year 2022, she along with her sister-in-law had purchased a land situated at Mauja-Baraw, Thana and Anchal-Nokha, Thana No. 407, Halka No. 05, District-Rohtas, appertaining to Khata No. 387, Plot No. 3833, however, the private respondents no. 6 to 8 have encroached the public road/Rasta situated adjacent to the aforesaid plot of the petitioner leading to the petitioner facing difficulty in ingress and egress to her house, hence it is submitted that the Circle Officer, Nokha, District- Rohtas at Sasaram be directed to initiate appropriate proceedings and in case it is found that the public road/Rasta has been encroached, the same be cleared by taking recourse to the due process of law.



2. *Per contra*, the learned counsel for the respondent-State submits that in case appropriate petition is filed by the petitioner before the Circle Officer, Nokha, he shall definitely consider the same and pass appropriate orders, in accordance with law.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file appropriate petition before the Circle Officer, Nokha, District-Rohtas, within a period of four weeks from today, which shall be examined by the Circle Officer, Nokha, and in case it is found that the public road/Rasta has been encroached, encroachment proceedings shall be initiated within a period of four weeks, thereafter and the final order shall be passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in accordance with law and after hearing the affected parties, within a further period of four weeks thereof.

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

(Mohit Kumar Shah, J)

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