

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16211 of 2023

1. Rajkokil Prasad son of Late Jababu Prasad, resident of Village-Chauraw, P.O.-Khajuri, PS-Kuchaikote, District-Gopalganj.
2. Ramchandra Yadav, son of Late Gudari Yadav, resident of Village-Chauraw, P.O.-Khajuri, PS-Kuchaikote, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Gopalganj.
2. The District Magistrate, Gopalganj.
3. The Circle Officer, Kuchaikote, District-Gopalganj.
4. Ramballam Prasad @ Rambali Prasad son of Late Baijnath Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
5. Deenanath Prasad, son of Late Ramkishun Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
6. Devnath Prasad, son of Late Shyampati Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
7. Ganpat Prasad son of Kali Bhagat, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
8. Raju Prasad son of Ramsharan Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
9. Shivnath Bhagat, son of Phuleshwar Bhagat, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
10. Jamuna Bhagat, son of Sitaram Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
11. Shiv Mandal Bhagat, son of Late Pahwari Bhagat, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
12. Birendra Prasad son of Late Ramjanak Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
13. Shiv Kumar Prasad, son of Dhanraj Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
14. Rohtas Prasad, son of Late Ramayan Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
15. Alakh Dev Prasad, Son of Late Raghunath Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
16. Yogendra Prasad Son of Late Shiv Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
17. Ashok Prasad, Son of Late Chandrika Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
18. Babu Nand Prasad, Son of Late Chhaththu Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.



19. Prakash Chand Prasad, son of Late Nand Prasad, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
20. Birbal Chaudhary, son of Late Jaggu Chaudhary, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
21. Lalan Chaudhary, son of Late Nathuni Chaudhary, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
22. Gopal Chaudhary, son of Late Saryug Chaudhary, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
23. Doma Chaudhary, son of Late Indar Chaudhary, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.
24. Lalmuni Devi, Daughter of Late Mangal Chaudhary, Wife of Kamdev Chaudhary, resident of Village-Chauraw, P.O.-Khajuri, P.S.-Kuchaikote, District-Gopalganj, PIN-84105.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Pandey No.5, Adv.
For the Respondent/s	:	Mr.Sajid Salim Khan (Sc25) Mr. Arif Daula Siddiqui, AC to SC-25
For the Respondent No. 8:	:	Mr. Amir Alam, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 25-06-2024 The present writ petition has been filed seeking the following reliefs:-

“1(a). To the Respondent No. 3, the Circle Officer, Kuchaikote, for the removal of encroachment, in pursuance to the final order dated 31.10.1997, passed in Encroachment Case No. 22/97-98; from Public Road (Plot No. 497, Village Chauraw), details of which has been stated in Para -3 of the Writ Application.

(b). And further for a direction to the Respondent No. - 3, the Circle Officer, Kuchaikote, to abort the freshly instituted Land Encroachment Case No. 57/2022-23, which has been instituted for the same Plot No. 497.”



2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the Respondent No. 2 i.e. the District Magistrate, Gopalganj, for redressal of their aforesaid grievances. Liberty, so sought, is granted.
3. It is needless to state that in case, appropriate petition is filed by the petitioners before the Respondent No. 2, within a period of four weeks from today, the Respondent No. 2 shall look into the matter and try to resolve the issue in question forthwith.
4. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

