

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17447 of 2024

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Jay Chandra Prasad Chaurasiya Son of Baidhyanath Prasad Chaurasiya @
Baidhnath Prasad, resident of Village- Lathiyahi, Baraiya Tola, Block and
P.S.- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Revenue
Department, Government of Bihar, Patna.
2. The District Magistrate- Cum- Collector, East Champaran.
3. The Sub Divisional Officer, Raxaul, East Champaran.
4. The Circle Officer, Adapur, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate
For the Respondent/s : Mr. Alok Ranjan, Addl. Advocate General (05)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-11-2024 The present writ petition has been filed seeking the
following reliefs:-

*"1(i) For issuance of a writ in the nature of mandamus,
directing the concerned respondent authorities not to
dispossess the petitioner from the land situated at Thana
No. 128, Khata No. 5, Khesra No. 1299, Area of 2.31
decimal, over which the ancestors of the petitioner had
constructed their house and the petitioner is residing
along with his family members and the petitioner is
landless, who is having a big family.*

*ii. For further holding that the petitioner and his family
cannot be dispossessed from the land in question as the
same does not come within the purview of the Bihar
Public Land Encroachment Act, 1956.*



iii. For further holding that the Circle Officer has no jurisdiction to initiate proceeding under the Bihar Public Land Encroachment Act as the same is not applicable in the instant case.

iv. For further holding that even otherwise as per the Government decision, the petitioner is entitled for settlement of the land in question and he cannot be removed from the aforesaid land."

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the District Magistrate, East Champaran at Motihari for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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