

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.45 of 2024

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Mahendra Ram Son of Late Ramlal, resident of Village - Parsauni Dewajit.
Police Station - Mehsi, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary. Home Department,
Government of Bihar, Patna.
2. The Additional Chief Secretary, Road Construction Department,
Government of Bihar, Patna.
3. The District Magistrate. District-East Champaran at Motihari.
4. The Sub-Divisional Officer, Chakiya. District-East Champaran
5. The Circle Officer, Circle Office Mehsi. District-East Champaran.
6. Dinanath Ram son of Late Ram Swaroop Ram, resident of Village - Parsauni
Dewajit, Police Station -Mehsi, District - East Champaran.
7. Deo Narayan Ram, son of Late Ram Swaroop Ram, resident of Village -
Parsauni Dewajit, Police Station - Mehsi, District - East Champaran.
8. Chhote Lal son of Late Ram Swaroop Ram, resident of Village - Parsauni
Dewajit, Police Station - Mehsi. District - East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate
For the Respondent/s : Mr.Md. Nadim Seraj (Gp 5)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-08-2024 The present writ petition has been filed seeking the
following reliefs:-

*“1(i) For issuance of a writ in the nature of Mandamus
directing and commanding the respondents to remove the
encroachment from the road bearing Plot no. 1473 in
front of the petitioner land which is Khata No.. 72. Plot
No.1544 situated in Village-Parsauni Dewajit Police
Station+ Circle Office Mehsi, District East Champaran.*



The said land of the road has been encroached by the Respondents nos.06 to 08.

(ii) For issuance of appropriate writ/ writs, order/orders, direction/ directions to the Circle Office,. Mehsi to abide the order dated 22.04.2016 of Sub-Divisional Officer Chakia cum Public Grievance Redressal Office,. Chakia and conclude the case no. 258AKV/16, within a time frame by this Hon'ble Court.

(iii) For issuance of an appropriate writ to direct the Circle Officer, Mehsi, East Champaran to work under Bihar Public Land Encroachment Act. 1956 and remove the encroachment by the respondents nos. 6 to 8 from the public land i.e public road appertaining to Plot No. 1473 situated at Village-Parsauni Dewajit, Circle-Mehsi. District-East Champaran and make free from the encroachment in front of the petitioner's land. i.e Plot No.1544 to the public road.”

2. It is the submission of the learned counsel for the petitioner that though the encroachment in question has stood removed, however, the construction material has been kept on the road and there is possibility that construction work can be started and building can be erected over the road any moment, hence the District Magistrate, East Champaran at Motihari be directed to ensure removal of the construction material as also ascertain that the encroachment in question does not resurface. It is directed, accordingly.



3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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