

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16044 of 2023

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Shatrughan Sharma Son of Shiv Kumar Singh, resident of Village and Post-
Mahmadpur, Gopalpur, P.S.-Vikram, Dist.-Patna-801104.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department,
Government of Bihar, Old Secretariat, Patna.
3. The Commissioner, Patna Division.
4. The District Magistrate, Patna.
5. The Sub Divisional Officer, Paliganj, Patna.
6. The Circle Officer, Vikram, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manu Tripurari, Advocate Mr. Apurv Harsh, Advocate Mr. Raghu Raj Pratap, Advocate Ms. Almanyu, Advocate Mr. Hritik, Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha (Sc 19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 23-07-2024 The present writ petition has been filed seeking the
following reliefs:-

“1(i). Issuance of direction order or writ in the nature of writ of certiorari or writs in the nature thereof or any other appropriate writs/orders/directions for quashing notice dated 20.10.2023 issued under the signature of Circle Officer, Vikram, Patna vide Memo No. 2828 whereby and whereunder the Petitioners has been asked to remove encroachment and show cause respectively, as he has been alleged to have encroached public land comprised in Mauja- Mahmadpur, Khesra no. 399, 400



and 401, Vikram, Dist.- Patna or same will be demolished.

II. For direction to bring on record Letter No. 813/अपे० dated 21.08.2023 vide which the Sub Divisional Officer, Paliganj, Patna has arbitrarily declared Mauja-Mahmadpur, Khesra no. 399, 400 and 401 to be gairmazurwa aam (public land).

III. To direct the respondent authorities to produce all the documents related to encroachment proceedings, if any, done against the land of the Petitioners.

IV. To direct the respondent authorities to abstain from any demolition work in relation to the house of the petitioner during the pendency of this case.

V. To take appropriate actions against the erring respondents for committing misdeeds, misdemeanour and illegality, particularly for keeping the petitioners in mental distress and harassment.”

2. At the outset, the learned counsel for the petitioner submits that the stair case of the petitioner has been demolished illegally, hence, the petitioner be granted liberty to file his objection/representation, agitating his aforesaid grievances, before the Collector, Patna and the Collector, Patna be directed to decide the same in accordance with law, within a stipulated time frame.

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 his objection/representation before the Collector, Patna, for redressal of his aforesaid grievances, within a period of two weeks from today, whereupon the learned Collector, Patna shall enquire into the matter, hear the petitioner and pass a reasoned and a speaking order, within a period of six weeks of receipt/production of a copy of this order.

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

(Mohit Kumar Shah, J)

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