

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17534 of 2023

Manjula Devi Wife of Ajay Kumar Bhagat, R/o Village- Mohalla- Ward No.- 09, P.S- Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Madhepura.
3. Sub Divisional Officer, Madhepura.
4. Circle Officer Murliganj, District- Madhepura.
5. Jagdish Rajak, Son of Lala Rajak, Resident of Village- Mohalla- Ward No.- 09, Police Station- Murliganj, District- Madhepura.
6. Jag Narayan Rajak, Son of Manji Rajak, Resident of Village- Mohalla- Ward No.- 09, Police Station- Murliganj, District- Madhepura.
7. Vikram Rajak, Son of Sita Ram Rajak, Resident of Village- Mohalla- Ward No.- 09, Police Station- Murliganj, District- Madhepura.
8. Ram Chandra Rajak, Son of Satya Narayan Rajak, Resident of Village- Mohalla- Ward No.- 09, Police Station- Murliganj, District- Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari, Advocate
For the Respondent/s : Mr.Ajit Kumar (Ga9)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-06-2024 The present writ petition has been filed
seeking the following reliefs:-

" 1(i) To direct the respondents to remove complete encroachment from the petitioner land bearing area 12 (Twelve) feet wide pathway of old khata no.267, 207, New Khesra No. 387 ख, 412 from the possession of private respondent no. 5 to 8, who have illegally encroached the aforesaid land which was used by the petitioner as a Aam Rasta (Public Road) to her house.



ii. *Further to quash the entire proceeding and order which has initiated on 07.07.2022 and final order has passed on 19.12.2022 in Encroachment Case No. 06/2022-23 by the Circle Officer, Murliganj (Madhepura) in the light of order dated 16.04.2019 passed in CWJC No. 6061 of 2013 by the Hon'ble court.*

iii. *Further to direct the respondent no. 4 specially to initiate a fresh Encroachment proceeding against the private respondent no.5 to 8 and adopt a transparent manner accordance to procedure as a duty bond public servant for end of justice."*

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law. Liberty, so sought, is granted.

3. The writ petition stands dismissed.

(Mohit Kumar Shah, J)

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