

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18579 of 2024

Pranay Kumar son of Shailendra Kumar Sharma Resident of Village- Hati,
P.S.- Kako, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Revenue, Government of Bihar, Patna.
2. The Collector, Jehanabad.
3. The Sub Divisional Magistrate, Jehanabad.
4. The Circle Officer, Kako District- Jehanabad.
5. The Bihar Paswan son of not known to petitioner vill- Hati tola, Domau Bigha, P.S.- Kako, Distt.- Jehanabad

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate
For the Respondent/s : Mr.Standing Counsel 25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2024 1. The limited prayer, made by the petitioner in the present case, is to direct the Circle Officer, Kako District- Jehanabad i.e. the respondent no.4 to remove the encroachment made over the land appertaining to Khata No.91, Khesra No.1246, admeasuring 8 decimal, situated at Mauza-Hati, Thana No.449, District, Jehanabad, which is a gairmazarua land as is also apparent from the letter of the Circle Officer, Kako District- Jehanabad, dated 20.02.2024, written to the Officer-in-Charge, Bhelawar Out Post.

2. Per contra, the learned counsel for the respondent- State submits that in case the petitioner approaches the



respondent no.4, he shall definitely examine the matter and take appropriate action.

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 appropriate application under the provisions of the Bihar Public Land Encroachment Act, 1956, before the respondent no.4, within a period of four weeks from today, whereupon the respondent no.4 shall examine the same and in case it is found that the land in question is public/government land, he shall initiate appropriate encroachment proceeding within a period of four weeks, thereafter and after resorting to the due process of law, he shall take appropriate action for removal of the encroachment in question, if any, forthwith.

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

(Mohit Kumar Shah, J)

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