

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17791 of 2023

Pratik Raj S/o Randhir Kumar, Resident of Village - Arap, P.S.- Bikram,
District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Revenue and Land Reforms Govt. of Bihar.
2. The District Magistrate-cum-Collector, Patna.
3. The Additional Collector, Patna.
4. The Circle Officer, Bikram, District- Patna.
5. Dinesh Singh, S/o Rajeshwar Singh, Resident of Village- Arap, P.S.- Bikram, District- Patna.
6. Nageshwar Singh, S/o Late Shiv Bihari Singh Resident of Village- Arap, P.S.- Bikram, District- Patna.
7. Ram Kumar Singh, S/o Kapildeo Singh Resident of Village- Arap, P.S.- Bikram, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Dubey, Advocate Mr. Kumar Gaurav, Advocate Mr. Shashank Kashyap, Advocate Mr. Nawnit Kumar Tiwary, Advocate
For the Respondent/s	:	Mr. Sanjay Prasad, AC to AAG-4

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-08-2024 The present writ petition has been filed
seeking the following reliefs:-

*“1. To issue a writ of Mandamus
commanding respondent authorities
1st set particularly respondent Circle
Officer to initiate the proceedings
afresh in Land Encroachment Case
No. 01/2014-15 initiated against
Respondent 2nd set who have*



encroached Aam Rasta appertaining to Khata No. 172, Khesra No. 1695, area 09 decimal which is in the nature of Gairmajarua Malik and as per Khatian it is Gairmajarua Aam which is situated in Village-Arap, P.S. Bikram, District-Patna or initiate a fresh encroachment proceeding against encroachers for removal of encroachment from the land in question.

(ii) Further for direction to the respondent 1st set to take coercive action against respondent 2nd set for removal of encroachment which has been again encroached by respondent 2nd set appertaining to Khata No. 172, Khesra No. 1695, Area- 09 decimal which is in the nature of Gairmazarua Malik and as per Khatian it is Gairmajarua Aam."

2. At the outset, the learned counsel for the respondent-State submits that the encroachment in question has already stood removed, however, the same is disputed by the learned counsel appearing for the petitioner, hence he seeks liberty on behalf of the petitioner to



approach the District Magistrate, Patna for the purposes of making an enquiry as to whether the encroachment in question has resurfaced or not and then taking appropriate steps. Liberty, so sought, is granted.

3. It is needless to state that in case the petitioner approaches the District Magistrate, Patna by filing appropriate petition, the District Magistrate, Patna shall forthwith make enquiry into the matter and in case it is found that the encroachment in question has resurfaced, he shall take recourse to the due process of law for the purposes of removal of the same.

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

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

