

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17516 of 2023

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Ram Pravesh Kumar son of Ram Charitra Singh, resident of Village-Mobarakpur, P.O. Bela via Rampur, Police Station-Belaganj, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Sub Divisional Officer, Sadar, Gaya.
4. The Deputy Collector Land Reforms, Gaya.
5. The Circle Officer, Belaganj, Gaya.
6. Nawal Kishore Prasad, son of Late Mosafir Yadav, resident of Village-Mobarakpur, P.O. Bela via Rampur, Police Station-Belaganj, District-Gaya.
7. Subodh Kumar, son of Late Mosafir Yadav, resident of Village-Mobarakpur, P.O. Bela via Rampur, Police Station-Belaganj, District-Gaya.
8. Uday Kumar, son of Late Ramsevak Singh, resident of Village-Mobarakpur, P.O. Bela via Rampur, Police Station-Belaganj, District-Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Respondent/s : Mr. Manish Kumar (Gp4)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-05-2024 The present writ petition has been filed seeking the following reliefs:-

"(i) For issuance of a writ of mandamus for direction to the respondents authorities to get free the land of "Aam Rasta" (Public land) from encroachment of respondent no. 6 to 8 bearing C.S. Khata No. 24 C.S. Plot No. 182 corresponding to R.S. Khata No.38, R.S. Plot No.422, area 6 decimals situated at Mauza-Mobarakpur P.S. Belaganj, District- Gaya



which is the Aam Rasta and only way of communication of more than 50 houses people of the village- Mobarakpur and due to such encroachment/illegal construction of respondent no. 6 to 8, the main rasta (way) of the villagers has been stopped.

(ii) For issuance of a writ of mandamus for commanding the respondents who despite several representations/public petitions could not take any action to restrain respondent no.6 to 8 from encroachment of "Aam Rasta" (Public land) of the villagers of Mobarakpur village."

2. After some arguments, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent no.05, i.e. the Circle Officer, Belaganj, Gaya for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case appropriate petition is filed by the petitioner under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of two weeks from today, appropriate action, as is deemed fit and proper, in accordance with law and



after hearing the affected parties, shall be taken forthwith.

4. Accordingly, the writ petition stands disposed off.

(Mohit Kumar Shah, J)

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