

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12164 of 2018

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Yogendra Singh Son of Gorakh Singh R.N. Singh, resident of Village-
Balathara, Usuri Sohil Patti, P.S.- Basantpur, District- Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Land Revenue, Govt. of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Sub-Divisional Officer, Siwan.
4. The Deputy Collector, Land Reforms, Siwan.
5. The Circle Officer, Basantpur, District- Siwan.
6. The Circle Inspector, Basantpur.
7. The Executive Engineer, Rural Construction Department, Govt. of Bihar, Maharajganj, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.
For the Respondent/s : Mr.Rishi Raj Sinha -Sc19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 31-08-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). To issue a writ in the nature of certiorari to quash the order bearing No. 41611-06282, passed by the Additional Collector (1st Appellate Authority), Siwan, whereby and whereunder the appeal of the petitioner regarding the encroachment made over his



private land has been rejected.

(ii). To hold and declare that on the basis of sketched up map & measurement report of local Amin of the State Authority, which are Annexure-1 of this application, the State authority of the Department of Road Construction has encroached the private land of the petitioner without exhausting the required procedure of law.

(iii). To direct the respondents to get the private land of petitioner, bearing land reference Mauza- Balthara, Thana No.335, Khata No.9, Khesra No.171, Circle Office-Basantpur, District- Siwan; part of area about 2 Katha 6 Dhur free from encroachment, which has been encroached by the pavement & construction of road, running from Balthara to Naviganj (Maharajganj, Siwan).

(iv). To direct the respondents not to harass the petitioner by encroaching his exclusive private land.

(v). To hold & declare that the encroachment of private land of the petitioner is violation of law in terms of Article 21 & 300-A of the Constitution of India.”

2. After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, 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. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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