

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18475 of 2023

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Gopal Sah son of Late Haricharan Sah, resident of village Sarmastpur, P.S.-
Mahnar District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Revenue
Tand Land Reforms Govt. of Bihar, Patna
2. The Collector cum District Magistrate Vaishali
3. The Sub Divisional Officer Mahnar Vaishali
4. The Deputy Reforms Deputy Collector Mahnar, Vaishali
5. The Anchal Adhikari Mahnar- Vaishali
6. Nirmala Devi wife of Bachan Sharma, resident of village - P.S.- Samastpur
District- Vaishali, Pin Code 844501.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad Sinha, Adv.
For the Respondent/s : Mr.U.SS. Singh, GP-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-06-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1. That the present writ application is being
filed for issuance of the appropriate writ, order
or direction for directing the Respondents
specially the Respondent No. 5 the Anchal
Adhikari, Mahnar for removal of
encroachment from the land of Khata No. 1023
Khesra No. 1362 having an area of 4 decimals
which is recorded as Gairmajarua Bihar
Sarkar in revisional Survey Khatian having an
area of 8 decimals situated in village
Sarmastpur Thana No. 603 in the District of*



Vaishali over which a main public road is situated leaving from Jandaha to Patori and besides the road schools Hospital Bank, Public School etc is situated which has been encroached by the Private Respondent no. 6 Nirmala Devi by putting Marai on the same has obstructed the Public road without any authority of law and despite several applications before the Respondents' nothing has been done till today and no encroachment has been removed and the people is facing trouble in passing through the aforesaid road and as such the action of the Respondent is not sustainable in law and thus vitiated.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Mahnar, District-Vaishali, by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956. Liberty so sought is granted.

3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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