

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18623 of 2023

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Hari Nandan Mahto Son of Late Shivshankar Mahato, Village Bhagausa,
Police Station and Block Wazirganj, District -Gaya, Pin Code- 805128.

... .. Petitioner/s

Versus

1. The State Of Bihar Through District Magistrate, Gaya.
2. Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. Divisional Commissioner, Magadh Division, Gaya.
4. Deputy Collector, Land Reforms, Gaya Bihar.
5. Sub-Divisional Officer, Sadar, Gaya.
6. Circle Officer, Wazirganj, Gaya.
7. Santosh Chaudhary, Son of Late Suresh Chaudhary, Village- Kenar, Police Station - Wazirganj, District-Gaya.
8. Baliram Paswan Son of Late Ramchandra Paswan Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
9. Krishna Paswan Son of late Muneshwar Paswan Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
10. Devnandan Paswan Son of Parmeshwar Paswan Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
11. Rajkumar Paswan Son of Late Jagdish Dusad Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
12. Vijay Paswan Son of Darogi Paswan Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
13. Briju Paswan Son of Late Baleshwar Paswan Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
14. Jhulan Paswan Son of Late Surendar Paswan Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
15. Mundrika Paswan Son of Parmeshwar Paswan Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
16. Sadhu Paswan Son of Parmeshwar Paswan Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
17. Balmukun Paswan Son of Jagdish Paswan Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
18. Ajay Bharti Son of Walo Ravidas Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
19. Vijay Ravidas Son of Munna Ravidas Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
20. Bamant Ravidas Son of Mishri Ravidas Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.



21. Rajesh Ravidas Son of Late Suresh Ravidas Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
22. Nidesh Ravidas Son of late Chaudo Ravidas Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
23. Piyari Devi Wife of Late Rambali Ravidas Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
24. Kameshwar Ravidas Son of Late Karu Ravidas Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
25. Pawan Paswan Son of Ram Vilas Paswan Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.
26. Sanjay Ravidas Son of Mishri Ravidas Resident of village - Bhagausa, police station Wazirganj, district - Gaya, pin code - 805128.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Indradeo Prasad, Advocate
For the Respondent/s : Mr. Standing Counsel (28)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 19-04-2024 Learned counsel for the petitioner submits that the petitioner has already approached under the Bihar Land Encroachment Act. There is Annexure-4 produced before us to establish that an application has been made. In any event, if such an application is made and it is in the proper format, the authority would number it and consider it. We have to immediately notice that in Annexure-4 the details of the encroachers have not been shown.

2. The petitioner has thus an alternate remedy to proceed under the Bihar Public Land Encroachment Act,



1956, which is said to be invoked. There cannot be maintained a Public Interest Litigation on the subject matter nor is the invocation of the extraordinary power possible; when there is such an alternate efficacious remedy available.

3. Present petition stands dismissed with the liberty aforesaid; without any observation on merits, or even the *locus standi* of the petitioner, which has to be decided by the Appropriate Authority under the Act of 1956 after hearing all the affected parties.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

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