

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25118 of 2019

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1. Ashok Kumar Son of Shri Vivekanand Rai Resident of Village- Chakmajahid, P.S.- Mahua, District- Vaishali.
 2. Rajiv Kumar Son of Mahendra Prasad Rai Resident of Village- Sadapur Mahua, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Patna, Bihar.
2. The Chairman, Bihar School Examination Board, Bihar, Patna.
3. The Collector cum District Magistrate, Vaishali at Hajipur, Bihar.
4. The Additional Collector, Vaishali at Hajipur, Bihar.
5. The Circle Officer, Mahua, Vaishali, Bihar.
6. The Principal, Dhupdhanvrat Higher Secondary School, Mauha, situated at Chakmajahid, Near Teliya Pokhar, P.S.- Mahua, District- Vaishali.
7. The Governing Body, Dhupdhanvrat Higher Secondary School, Mahua, Chakmajahid, Near Teliya Pokhar, P.S.- Mahua, District- Vaishali.
8. Mukesh Kumar Khanna Son of Late Brajnandan Prasad Resident of Village- Chakmajahid, P.S.- Mahua, District- Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar Anshul, Advocate
For the BSEB	:	Mr. P.K. Shahi, Sr. Advocate
		Mr. Gyan Shankar, Advocate
For the State	:	Mr. Sajid Salim Khan, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE NANI TAGIA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 13-09-2024

Heard learned counsel for the parties.

2. The petitioner has an alternate remedy to proceed under the Bihar Public Land Encroachment Act, 1956. 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.

(K. Vinod Chandran, CJ)

(Nani Tagia, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

