

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6560 of 2016

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Md. Yusuf Imam Rashidi Son of Late Hakeem Fazle Rab, Resident of Village-
Noorullahpur, P.S.- Khodawandpur, District- Begusarai.

... .. Petitioner

Versus

1. The State Of Bihar
2. The District Collector, Land Reforms, Manjhoul Sub Division, Manjhoul,
District- Begusarai.
3. The Circle Officer, Khodawandpur, District- Begusarai.
4. Md. Javed, Son of Noor Hasan, Resident of Village- Noorullahpur, P.S.-
Khodawandpur, District- Begusarai.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Md. Ataul Haque, Advocate
	:	Ms. Phool Jahan, Advocate
For the Respondent/s	:	Mr. Dhurjati Kr. Prasad, GP-14

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 19-06-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner in the present writ application has
prayed for the grant of following reliefs:-

*I.) A Writ in the nature of
certiorari or any other
appropriate writ, order or
direction to quash the order
dated 02.02.2016 by which the
learned D.C.L.R., Manjhaul have
directed the encroachers
including the petitioner to vacate
the land in question within
fortnight failing which the same
would be evicted from the help of*



Administration.

Photocopy of the Order dated 02.02.2016 passed in Public Land Encroachment Case no. 01/14-15 by the Learned D.C.L.R. Manjhaul is annexed herewith and marked as Annexure-1 to this petition.

II.) Any other writ, order or direction to which petitioner is deemed entitled.

3. Learned counsel appearing for the Respondent-State submits that the order impugned in the present writ application has been passed by the D.C.L.R., Manjhaul, District-Begusarai which is appealable under Section 11 of the Bihar Land Encroachment Act before the Collector and hence the present writ application should be dismissed as non-maintainable.

4. This legal position is not disputed by the learned counsel for the petitioner and, therefore, he prays to withdraw the present writ application with liberty to prefer an appeal before the Collector, Begusarai.

5. Considering the limited nature of prayer being made by the learned counsel for the petitioner, the present writ application is disposed of granting liberty to the petitioner to prefer an appeal against the order dated 02.02.2016 passed by



D.C.L.R., Manjhaul, District-Begusarai (Annexure-1 to the writ application) which shall be considered and disposed of in accordance with law.

6. The present writ application is, accordingly, disposed of with the aforesaid liberty granted to the petitioner.

7. All pending Interlocutory Applications, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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