

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8220 of 2015**

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Mishri Lal Rai son of Late Ramjit Rai Resident of village- Rasulpur, P.O. Karnaul, P.S. Sahebganj, Disitric- Muzaffarpur

.... .... Petitioner

Versus

1. The State of Bihar through the District Magistrate, Muzaffarpur.
2. The District Magistrate, Muzaffarpur, District - Muzaffarpur.
3. The Senior Superintendent of Police, Muzaffarpur, District- Muzaffarpur.
4. The Sub-Divisional Officer, West Muzaffarpur, District - Muzaffarpur.
5. The Circle Officer, Sahebganj, District- Muzaffarpur.
6. Mishri Lal Yadav son of Sri Banwari Rai Resident of village- Kamalpur, P.O. and P.S. Baruraj, District- Muzaffarpur, presently residing at village- Salempur, P.O. Karnaul, P.S. Sahebganj, District- Muzaffarpur

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. S.B.K. Mangalam, Advocate

For the State : Mr. Ashok Kumar, SC 11

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**  
**ORAL ORDER**

4      04-09-2015                      I have heard learned counsel for the petitioner and the State.

Petitioner seeks direction to the respondent authorities for removal of encroachment from public land of plot no. 912 appertaining to khata no. 192 under Thana No. 5 of Sahebganj Circle measuring an area of 0.05 decimals.

However, it appears from the appellate order, which has been brought on record as Annexure 1, that the Collector has given direction to the Circle Officer to get the measurement and demarcation of the concerned land be done after issuing notice to respondent no. 6, Mishri Lal Yadav and, after granting him

opportunity of hearing, action should be taken in accordance with law.

The concerned Circle Officer is also present with record of the case. It does not appear that opportunity of hearing was given to the appellant respondent no. 6 as per the direction of the appellate order and no final order has been passed as yet.

Accordingly, this writ application is being disposed of with a direction to the Circle Officer concerned to issue notice to respondent no. 6 Mishri Lal Yadav and after granting opportunity of hearing to all the concerned, take a final decision in accordance with law within a period of two months from today.

**(Dr. Ravi Ranjan, J)**

SC/-

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