

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1504 of 2015

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1. Raja Ram Sah son of Late Mahavir Sah resident of Village- Sapahi, P.O.- Tribhauni; Police Station- Semar District- West Chamapran.
 2. Kanhaiya Lal Sah son of Late Mahavir Sah resident of Village- Sapahi, P.O.- Tribhauni; Police Station- Semar District- West Chamapran.
 3. Naresh Sah son of Late Mahavir Sah resident of Village- Sapahi, P.O.- Tribhauni; Police Station- Semar District- West Chamapran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate, West Champaran.
4. The Superintendant of Police, Bagaha, West Champaran.
5. The Sub-divisional Officer, Bagaha, West Champaran.
6. The Circle Officer, Bagaha-2, West Champaran.
7. Bablu Singh son of Late Algu Singh resident of Village- Sapahi, Police Station- Semara District- West Chamapran.
8. Pappu Singh son of Late Algu Singh resident of Village- Sapahi, Police Station- Semara District- West Chamapran.
9. Dhanishankar Singh resident of Village- Sapahi, Police Station- Semara District- West Chamapran.
10. Gaurishankar Singh resident of Village- Sapahi, Police Station- Semara District- West Chamapran.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Ajeet Kumar, Advocate
For the Respondent/s : Mr. Arvind Kr. No. 1, SC-15

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 04-08-2015 Heard the parties.

The petitioners complain of laxity on the part of the Circle Officer in not taking the Encroachment Case No. 3 of 2014-15 initiated under the provisions of the Bihar Public Land Encroachment Act, 1956 to its conclusion. It is the case of the petitioners that a public land bearing Khata No. 3, Plot No. 171

which is being used as an *aam rasta*, had been encroached by the villagers thus obstructing their passage to the house.

A counter affidavit has been filed by the Circle Officer who while admitting to the encroachment by a large number of villagers have stated that the houses are existing on the plot for more than 50 years and includes the house of the petitioners. Insofar as the complaint regarding obstruction in passage is concerned it is stated that the encroachment has been removed and to substantiate the position even photographs have been enclosed.

In the circumstances discussed where the grievance of the petitioners stands redressed, the writ petition is disposed of.

(Jyoti Saran, J)

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