

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.971 of 2015

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1. Bhola Singh. Son of Late Ram Prasad Singh.
2. Ramji Singh Son of Bhola Singh Both resident of Village - Bhagwanpur,
P.S. and Circle Phulwariya, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Department of Revenue and Land Reforms, Government
of Bihar, Patna.
3. The Divisional Commissioner, Saran Division, Chapra.
4. The District Magistrate-cum-Collector, Gopalganj.
5. The Deputy Collector Land Reforms, Gopalganj.
6. The Sub-Divisional Officer, Hathua, Gopalganj.
7. The Circle Officer, Phulwariya, Gopalganj.
8. Shri Ramnath Bhagat son of Ramprasad Bhagat resident of Village -
Bhagwanpur, P.S. and Circle - Phulwariya, District - Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj, Adv.

For the Respondent/s : Mr. Vivek Prasad, GP-18

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 04-08-2015 Despite the order dated 3.4.2015 requiring the State counsel
to seek instructions and file counter affidavit with further
indulgence having been granted on 17.4.2015 yet learned counsel
for the State submits that she has not received any instructions.
Notice was issued to the private respondent who has been charged
by the petitioner of encroaching a public land and who has also
registered appearance through counsel but there is no
representation on his behalf today.

A very limited prayer has been made by the petitioner

requiring disposal of the encroachment case by the Circle Officer bearing Encroachment Case No. 1 of 2013-14 which has been initiated for removal of encroachment on public land bearing Plot No.571 of Khata No.71 in village Bhagwanpur in the district of Gopalganj which is registered as Gairmajarua Aam Land.

Considering the circumstances where no instructions have been received by the learned counsel for the State despite communication as well as the fact that the private respondent has appeared, I am of the opinion that no useful purpose would be served in keeping the writ petition pending and the same is disposed of with the direction to the Circle Officer, Phulwariya, Gopalganj to consider and dispose of the Encroachment Case No. 1 of 2013-14 in accordance with law and after giving opportunity of hearing to all the alleged encroachers including the respondent No.8 herein, expeditiously and preferably within 3 months from the date of receipt/production of a copy of this order.

(Jyoti Saran, J)

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