

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11926 of 2014

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Vijay Kumar Sinha, Son of Late Gauri Shankar Prasad, Resident of Mohalla- New Chandmari, P.S- Motihari town, district- Motihari (East Champaran)

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Collector, Motihari (East Champaran).
4. The Sub- Divisional Officer, Sadar, Motihari (East Champaran)
5. The Deputy Collector, Land Reforms, Sadar Motihari (East Champaran)
6. The Circle Officer, Motihari Sadar, (East Champaran).

.... Respondents

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Appearance :

For the Petitioner : Mr. Pankaj Kumar Sinha, Adv.
Mr. Kamal Kishore Jha, Adv.

For the Respondents : Mr. Ajay, GA-12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 07-01-2015 The grievance of the petitioner is that the respondents are not taking steps to prevent the encroachments in Mouza Baluataal, P.S. No.105 and Mouza Tarkulwa, P.S. No.106, Motihari. The petitioner has narrated the various lapses on the part of the respondents in ensuring that the encroachments do not take place. It is alleged that on account of indiscriminate encroachments, the public amenities are losing their utility and people at large are facing difficulties. Our

attention is also drawn to certain proceedings issued by the Additional Collector, East Champaran, Motihari on 15.3.2013.

Heard learned counsel for the petitioner and learned counsel for the respondents.

The concern of the petitioner is the encroachment into public drainage (Nala) and other roads.

Although the prayer is sought in very wide terms, during the course of hearing, it is confined only to Mouza Baluataal, P.S. No.105 and Mouza Tarkulwa, P.S. No.106, Motihari.

The Additional Collector addressed a letter dated 15.3.2013 to the Circle Officer to get the land demarcated and to take necessary steps for removal of the encroachments. In view of the above, it cannot be said that the respondents are not taking steps at all.

However, we direct that the steps directed to be taken on 15.3.2013, shall be completed within a period of six months from today, duly following the prescribed procedure.

The writ petition is accordingly disposed of.

Interlocutory application, if any, stands

disposed of.

There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

(Rajendra Kumar Mishra, J)

Shail/K.C.jha

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