

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4169 of 2015

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1. Mantosh Kumar Dixit Son of Vidyasagar Dixit, Resident of Village-Chamarpatti, P.S. - Phulwaria, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Administration Department, Government of Bihar, Patna.
2. The Secretary, Revenue Department, Government of Bihar, Patna.
3. The District Magistrate , Gopalganj.
4. The Sub - Divisional Officer, Gopalganj.
5. The D.C.L.R., Hathua, Gopalganj.
6. The Circle Officer, Furlwaria, Gopalganj.
7. Vyas Gond
8. Kailash Gond Respondent no. 7 & 8 are sons of Gopichand Gond All of the above are the Resident of village-Chamarpatti P.S. - Phulwaria, District-Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : M/s Ranjeet Kumar, Kundan Kumar, Akash Keshavar and Yogesh Kumar, Advocates

For the Respondent/s : Mr. Rajesh Kumar, GP19
Mr. Birendra Kumar, AC to GP 19

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 09-11-2015 Learned counsel for the petitioner is permitted to make necessary correction regarding the description of respondent no. 6 in course of the day.

Heard the parties.

The Circle Officer, Fulwaria, is present along with he records of the case which have been perused by this Court.

This is very unfortunate that though the matter is pending since long but no step has been taken as yet and only after the

order dated 4.11.2015 was passed, some order appears to have been passed issuing notice under section 3 of the Bihar Land Encroachment Act (hereinafter to be referred to as “the Act”). The Circle Officer has submitted that he has joined the office of the Circle Officer, Fulwariya four months ago and the factum of pendency of this case was not within his knowledge.

Be that as it may, in above view of the matter, since step has already been taken in the matter and notices have been issued under section 3 of the Act, this Court is inclined to dispose of the matter with a direction to the Circle Officer, Fulwariya to bring the matter to its logical conclusion in accordance with law within a period of four months.

However, it is made clear that before taking final decision in the matter, the Circle Officer, Fulwariya will grant reasonable opportunity to all the parties including this petitioner as well as the private respondents and other concerned person(s), if any, in the matter.

(Dr. Ravi Ranjan, J)

SC/-

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