

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6571 of 2014

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1. Chaudhary Naresh Chandra Ray @ Chaudhary Ram Naresh Rai Son of Late Chaudhary Bindeshwari Ray Resident of Village - Batho, P.S. - Bahera, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Darbhanga Division, Darbhanga.
2. The Collector, Darbhanga.
3. The D.C.L.R., Benipur, Darbhanga.
4. The Circle Officer, Benipur Block, Darbhanga.
5. The Officer Incharge, Bahera Police Station, District - Darbhanga.
6. Md. Jalil Son of Late Ali Jaan
7. Rajendra Das Son of Late Govind Das
8. Wakil Lal Deo Son of Late Laxmi Lal Deo
9. Lakhan Das Son of Bhujungi Das
10. Idris Nadaf Son of Late Zainul Nadaf
11. Brahmdeo Lal Deo Son of Late Mallik Lal Dao
12. Tanvir Nadav Son of Late Sadique Nadaf
13. Sobrati Kujra Son of Jalil Kujra
14. Bacchan Lal Deo Son of Soti Lal Deo
15. Munni Das Son of Mangal Das
16. Halim Kujra Son of Ishaque Kujra.
17. Ram Sewak Das Son of Chilmil Das.
18. Aziz Nadaf Son of Late Rahim Das. 6 to 18 are resident of Village - Madhopur, Anchal, Benipur, P.S. - Bahera, District - Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi, Adv.

For the Respondent/s : Mr. Ajay Kumar, A.C. to S.C.7

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 05-01-2015 Heard Mr. Iqbal Asif Niazi, learned counsel for the petitioner and Mr. Ajay Kumar A.C. to S.C.7 for the State are present.

A very limited grievance has been raised by the petitioner in this writ petition. He submits that the land encroachment proceedings initiated under the provisions of the Bihar Public

Land Encroachment Act, 1956 (hereinafter referred to as 'the Act') bearing Encroachment Case No. 8 of 2008-09 has not been taken to its logical conclusion. Vide order passed on 24.11.2014 the State was directed to seek instructions on this issue and file counter affidavit and which is stated to have been filed on 16.12.2014, however the same has not been placed on record.

Office to trace out the same and place it along with records.

Perusal of the counter affidavit so filed on behalf of the State manifests that necessary steps have been taken by the Collector under the Act i.e. the Circle Officer, Benipur and pursuant to the notice issued, the encroachers have appeared. It has also been stated in paragraph 6 of the counter affidavit that necessary notice has been issued under Section 6 of the Act and the Sub Divisional Officer, Benipur has been requested to provide with the supportive force. A copy of the letter is placed at Annexure-B to the counter affidavit.

In the circumstances reflecting from the counter affidavit filed on behalf of the State, no further order needs to be passed in the proceedings which is accordingly disposed of.

Bibhash/-

(Jyoti Saran, J)

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