

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1302 of 2016

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1. Sheikh Serajul Haque @ Dhaturi son of Late Sheikh Khairati
 2. Rohul Haque son of Late Sheikh Khairati Both are residents of village - Khairwa, P.O. Bela, Police Station - Chhauradano, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran.
4. The Superintendent of Police, East Champaran at Motihari.
5. The Land Reforms Deputy Collector, Raxaul, District - East Champaran.
6. The Sub-Divisional Officer, Raxaul, District - East Champaran.
7. The Block Development Officer, Chhauradano, District - East Champaran.
8. The Circle Officer, Chhauradano, District - East Champaran.
9. The Deputy Superintendent of Police, Raxaul, District - East Champaran.
10. The State House Officer, Police Station Chhauradano, District - East Champaran.
11. The Circle Amin, Circle Office, Chhauradano, District - East Champaran.
12. The Revenue Clerk, Halka Khairwa village, Circle Office - Chhauradano, District - East Champaran.
13. Md. Ajaj son of Late Abdul Rauf
14. Kaimullah son of Late Ainush
15. Jamil Akhtar son of Sk. Ismail.
16. Hafijullah son of Late Sk. Hamid
17. Samin Ahmad son of Sk. Abbas 13 to 17 are resident of village - Khairwa, Police Station - Chhauradano, District - East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate.
For the Respondent nos. : Mr. Parijat Saurav, AC to AAG 10
For the Respondent No. 13: Mr. Anis Akhtar, Advocate.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 09-11-2016

Heard the parties.

The sole ground raised by the petitioners at the time of hearing is that under the garb of the order dated 21.04.2012 passed in Encroachment Case No. 14 of 2010-11, and the order dated 16.10.2012 passed in C.W.J.C. No. 19591 of 2012 by the High Court



in respect to Plot No. 1335, appertaining to Khata No. 175 of village Khairwa, District East Champaran, the respondents are trying to disposes them from plot Nos. 1318 and 1333 appertaining to Khata No. 142 and Plot No. 1319 appertaining to Khata No. 20.

In above view of the matter, this writ application is being disposed of with the consent of the parties including the private respondent with direction to the District Magistrate, East Champaran to measure and demarcate the Plot No. 1335, appertaining to Khata No. 175 by the Amin and if any encroachment is found, that should immediately be removed. However, no part of Plot Nos. 1318, 1313 and 1319 should be touched as no encroachment proceeding has been initiated over that plots. Let such demarcation be done in presence of the parties. However, if any party does not appear on the date fixed, that would not come in the way of the District Magistrate, East Champaran, in compliance of the present order. The entire exercise should be completed within a period of four weeks from the date of receipt/production of a copy of this order by any of the parties.

This writ application stands disposed of.

(Dr. Ravi Ranjan, J)

Prakash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

