

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1300 of 2016

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Anil Kumar @ Anil Kumar Singh, Son of Ram Chandra Singh, Resident of Village More, P.O. More Sarai, P.S. + Anchal Sheo Sagar, District - Rohtas.

.... Petitioner

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar, Patna.
3. The Collector cum District Magistrate, Rohtas, Sasaram.
4. The Sub Divisional Officer cum Sub Divisional Magistrate, Sasaram, Rohtas.
5. The Deputy Collector, Land Reforms, Sasaram, Rohtas.
6. The Anchal Adhikari, Anchal - Sheo Sagar, District - Rohtas.
7. Ram Pravesh Ram, Son of Late Dasha Ram,
8. Dasharath Ram, Son of Late Ramdeo Ram,
9. Harihar Singh, Son of Late Ram Krit Singh,
10. Karmu Ram,
11. Dharmu Ram,
- Both 10 and 11 are sons of Late Bihari Ram,
12. Sheo Pujan Yadav,
13. Ram Chela Yadav,
- Both 12 and 13 are sons of Late Dudhu Yadav @ Late Dudhu Ahir,
14. Sayendra Yadav, Son of Late Sheo Kumar Yadav,
15. Sanjay Yadav, Son of Late Sheo Mukh Yadav,
16. Shankar Yadav, Son of Bhola Yadav,
17. Ram Pravesh Ram,
18. Leader Ram,
- Both 17 and 18 are sons of Late Nathun Ram,
19. Jagmohan Yadav, Son of Baliram Yadav,
20. Sardar Ahir, Son of Late Ram Das Ahir,
21. Fulendra Yadav, Son of Late Shalik Yadav,
22. Nathuni Ram, Son of Late Ram Deo Ram,
23. Upendra Ram, Son of Nathuni Ram,
24. Chandrajit Yadav, Son of Anant Yadav,
25. Dinesh Ram, Son of Late Laxman Ram,
26. Sheo Mangal Ram, Son of Late Shri Kishun Ram,
27. Shankar Ram, Son of Late Bhikhari Ram
28. Sheonani Ram, Son of Late Bhikhari Ram,
29. Fulendra Ram, Son of Late Byas Ram,
30. Kalindra Ram, Son of Late Ripu Ram,
31. Angrahit Ram, Son of Late Ram Bachan Ram,
32. Sheo Prasad Yadav, Son of Late Bhola Yadav,
33. Krishna Ram, Son of Late Hira Ram,
34. Musafir Ram, Son of Late Ram Bachan Ram,
35. Ram Sarekh Singh, Son of Late Sita Ram Singh,
36. Rang Bahadur Singh, Son of Late Dahin Singh,
37. Jagdish Singh, Son of Late Hari Charan Singh,
38. Ayodhya Singh,
39. Ram Dayal Singh,
- Both 38 and 39 are sons of Late Basant Singh,

All 7 to 39 are resident of village - More, Post More Sarai, P.S. + Anchal Sheo Sagar, District - Rohtas.

.... Respondents

Appearance :

For the Petitioner : Mr. Subash Kumar,
Mr. Sanjay Kumar Pandey No.5, Advocates
For the State : Mr. Krishna Kr. Singh, A.C. to G.P. 17

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 20-07-2016

Heard parties.

It is alleged on behalf of the petitioner that respondent nos.7 to 39 have encroached upon the public land for which a proceeding being encroachment case no.12/2005-06 was initiated and in which notices were issued upon some of the encroachers, however, thereafter, nothing has happened as the proceeding could not be concluded. It is submitted that encroachers are further encroaching the public land for which a petition was given to the Anchal Adhikari, Sheo Sagar, District, Rohtas vide Annexure 4 stating that encroachment has been made and action should be taken against the encroachers but no action has been taken till date.

Accordingly, this writ application is being disposed of, without going into the merit of the case, with a liberty to the petitioner to approach the respondent no.3, the Collector-cum- the District Magistrate, Rohtas, Sasaram by setting out his claim and grievance. On such representation having been filed along with a copy

of this order, let the District Magistrate ascertain as to whether encroachment case no. 12/2005-06 has been brought to its logical conclusion or not. If the same has not been brought on its logical conclusion then let steps be taken for doing that after granting reasonable opportunity to all the concerned including the private respondents. That apart, let it also be ascertained by him or by referring it to a competent authority as to whether further encroachment has been made by the private respondents or not on the public land as is being claimed by the petitioner. If it is found that there is further encroachment also then steps should be taken for its removal in accordance with law from the public land concerned after granting reasonable opportunity to all the concerned persons including the alleged encroachers or the private respondents. It is expected that the entire exercise would be completed within a period of four months from the date of filing of such representation along with a copy of this order.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.09.2016
Transmission Date	NA