

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 15349 of 2016

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Muneshwar Mehta, Son of Late Pan Mehta, Resident of Mohalla- New
Area, Piparpati, P.S.- Kotwali, District- Gaya. Petitioner.

Versus

1. The State of Bihar.
 2. District Magistrate, Gaya.
 3. Sub-Divisional Officer, Sadar, Gaya.
 4. Circle Officer, Town Block, Gaya.
 5. Munna Singh Son of Umesh Prasad Singh Resident of Village-
Guljana, P.S.- Tekari, District- Gaya. Respondents.
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Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Adv.

: Ms. Priya Ranjan, Adv.

For the Respondents: Mr. Raj Kishore Roy-GP18

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 18-11-2016

Heard learned counsel for the petitioner and the State.

Petitioner seeks direction for removal of encroachment
made by respondent no. 5 from Plot No. 229 appertaining to
Khata No. 84, Mohalla-Piparpati, Town Gaya, P.S.-Kotwali,
District-Gaya.

It is contended that the land is in the nature of Gair
Majarua Jagirdar and, after vesting, it merged into the public
land of the State, however, the private respondent has
encroached the same and despite representation made by the
petitioner to the District Magistrate, Gaya, no action has been
taken as yet.

Accordingly, this application is being disposed of with



a direction to the District Magistrate, Gaya to examine either himself or by relegating it to the Circle Officer concerned as to whether there is any encroachment upon the public land or not. If it is found that there is some encroachment on public land then a suitable action should be taken under the provision of Bihar Public Land Encroachment Act and it should be brought to the logical conclusion within a period of three months from the date of receipt/production of a copy of this order.

However, no final order should be passed without granting reasonable opportunity to all the concerned persons including the private respondent. It is further made clear that this Court has not expressed any opinion on merit of the case.

(Dr. Ravi Ranjan, J.)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.02.2017
Transmission Date	NA

