

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10051 of 2013

=====

Ram Shankar Singh (Teacher) S/O Jay Ram Singh Resident Of Village
Divi, P.O. Merhi, P.S. M.H. Nagar, District Siwan

.... Petitioner

Versus

1. The State Of Bihar Through The Chief Secretary, Government Of Bihar,
Patna
2. The District Magistrate, Siwan
3. The Superintendent Of Police, Siwan
4. The Sub-Divisional Officer, Siwan
5. The Circle Officer, Hussainganj, District Siwan
6. Suraja Kuwar W/O Late Deo Lal Yadav Resident Of Village Divi, P.O.
Merhi, P.S. M.H. Nagar, District Siwan
7. Santosh Kumar Yadav Son Of Late Deo Lal Yadav Resident Of Village
Divi, P.O. Merhi, P.S. M.H. Nagar, District Siwan
8. Manoj Kumar Yadav Son Of Late Deo Lal Yadav Resident Of Village
Divi, P.O. Merhi, P.S. M.H. Nagar, District Siwan

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Ashok Kumar, Advocate
For the State : M/s Din Bandhu Singh, G.P. 9 and
Sandip Singh, AC to GP 9

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 08-04-2016

Heard learned counsel for the petitioner and the State.

Petitioner's grievance is that though a final decision has been taken by the Circle Officer concerned finding encroachment upon a public land of survey plot no. 1393, which is described as Gramin Road existing from before even the cadastral survey, by the respondent no. 8. A proceeding for removal of encroachment was initiated being Encroachment Case No. 03/04-05 in which a direction was given by the Circle Officer, Daraunda to Officer Incharge

M.H.Nagar, District Siwan for providing force for removal of encroachment on 10.4.2010 but nothing has been done till date and as such the proceeding has not brought to its final conclusion.

Accordingly, this writ application is being disposed of, without going into the merit of the case, with a direction to the District Magistrate, Siwan to take steps ensuring that aforesaid encroachment case no. 03/04-05 is brought to its logical conclusion in accordance with law within a period of two months from the date of receipt / production of a copy of this order.

The direction is being given to the District Magistrate, Siwan for the reason that a controversy has been raised by the learned counsel appearing for the State that the petitioner has impleaded the Circle Officer, Hussainganj, District Siwan and in paragraph no. 3 of the writ application he has described Anchal Hasnpura whereas Annexure 3 series shows that direction was given by the Anchala Adhikari, Daraunda. The petitioner has taken a stand that earlier it was Anchal Daraunda but now the jurisdiction has shifted to Anchal Huusainganj.

Be that as it may, let the District Magistrate, Siwan examine the matter and ensure the compliance as a case having been initiated has to be brought to its logical conclusion within a reasonable time. He will also examine as to whether the order

passed by the Circle Officer has been modified, altered or set aside in appeal or by any competent authority or not.



Spd/-

(Dr. Ravi Ranjan, J)

U			
---	--	--	--