

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16034 of 2016

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Ramadhar @ Ramadhar Yadav, son of Late Janak Yadav, resident of village-
Ramnagar, Police Station- Bhorey, District- Gopalganj.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Sub-Divisional Magistrate, Hathua, District- Gopalganj.
4. The Circle Officer, Bhorey (Anchal), District- Gopalganj.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Respondent/s : Mr. RAJ KISHORE ROY- GP18

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT
Date: 21-12-2016

Heard parties.

The petitioner seeks direction to the respondents for removal of encroachment from Plot No.145 of an area of 0-17-04 dhurs and Plot No.173 of an area of 2-5-9 dhurs appertaining to Khata No.211 situated in Mauza-Ram Nagar in the District of Gopalganj.

It is contended on behalf of the petitioner that the aforesaid land is recorded as '*Gairmajarua Aam*' and being used by the public as '*Aam Rasta*' and '*Khalihan*' from the time immemorial.

The petitioner has not impleaded any of the encroachers as the party in the writ petition.

However, this writ application is being disposed of,



without going into the merit of the case, with a liberty to the petitioner to file a fresh appropriate application before the Circle Officer concerned setting out his grievance alongwith a copy of this order. On such application having been filed, let the Circle Officer (respondent no.4) examine the issue and if he finds that there is some encroachment on public land, as alleged by the petitioner, then he should initiate a proceeding under the Bihar Land Encroachment Act and bring the same to its logical conclusion within a period of four months after granting a reasonable opportunity to all the concerned including the alleged encroachers.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	07.03.2017
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