

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17762 of 2014

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Manoj Pandey son of late Dudh Nath Pandey resident of village Itarhia, P.S. Karakat (Gorari), District Rohtas at Sasaram.

.... Petitioner

Versus

1. The State of Bihar.
2. The Collector, Rohtas.
3. The Circle Officer, Karakat (Gorari), Rohtas.
4. The S.H.O. Karakat (Gorari), Rohtas.
5. Mundrika Dubey son of late Nathuni Dubey resident of village Itarhia, P.S. Karakat (Gorari), District Rohtas.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Ojha, Advocate
For the Respondent/s : Mr. ANIL KR UAPDHYAY, SC 20
Mr. Naresh Prasad, AC to SC 20

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 01-07-2016

Heard learned counsel for the petitioner and the State.

It is contended on behalf of the petitioner that in presence of the police authorities on 25.07.2014 it has been recorded before the Circle Officer that encroachment from the concerned khesra no. 1190 appertaining to Khata No. 327 measuring an area of 0.4 decimal has been removed but the same is still existing.

In such a situation, this writ application is being disposed of without going into the merit of the case, as final order has already been passed by the Circle Officer, directing the Collector, Rohtas, to make an inquiry and ascertain as to whether encroachment was

removed or not. If it was removed, then whether it has been encroached again or not and, thereafter, he would take a remedial step in accordance with law. However, nothing should be done without granting reasonable opportunity to the respondent no. 5.

It is expected that the entire exercise would be completed within two months from the date of receipt/.production of a copy of this order.

(Dr. Ravi Ranjan, J)

SC/-

AFR/NAFR	NAFR
CAV DATE	NA
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