

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18107 of 2013

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Ras Bihari Singh, Son Of Late Chandrama Singh, Resident Of Village -
Chandawa, Post Office - Muja, Block And P.S. Mohania, District - Kaimur At
Bhabhua

.... Petitioner

Versus

1. The State Of Bihar
2. The District Magistrate, Kaimur At Bhabhua
3. The Sub - Divisional Officer, Mohania, District - Kaimur At Bhabhua
4. The Circle Officer, Mohania, District - Kaimur At Bhabhua

Respondent 1st Set

5. Bir Bahadur Singh, Son Of Late Kapildev Singh
6. Mahesh Singh, Son Of Late Kapildev Singh
7. Shyam Bihari Singh, Son Of Late Ram Kailash Singh
8. Prabhu Narain Singh, Son Of Late Ram Kailash Singh
9. Hanuman Singh, Son Of Bhagawat Singh
10. Parman Singh, Son Of Bhagwat Singh
- Resident Nos.5 to 10 al resident of Village - Parashurampur, Post Office - Muja,
Block And P.S. Mohania, District - Kaimur At Bhabhua
11. Arun Kumar Singh, Son Of Hari Narain Singh
12. Om Prakash Singh, Son Of Hari Narain Singh
13. Surendra Singh, Son Of Kedar Singh
14. Munna Singh, Son Of Kedar Singh
15. Ashwani Kumar Singh, Son Of Rameshwar
16. Dwarika Singh, Son Of Late Ram Nandan Singh

Resident nos. 11 to 16 all resident of of Village - Chandawa, Post Office - Muja,
Block And P.S. Mohania, District - Kaimur At Bhabhua

.... Respondent 2nd Set

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Appearance :

For the Petitioner : Mr. Ashok Kumar Garg,
Mr. Dineshwar Pandey, Advocates

For the State : Mr. P.N. Sahi, A.A.G. 4

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT
Date: 18-11-2016

Heard Parties.

It is submitted that on the application made by the petitioner before the Circle Officer Mohania, Encroachment Case No.05 of 2012 has been initiated and after giving notice in that case to both the parties, the encroachment has been removed but after two days, respondent nos.5 to 10 have encroached the aforesaid land. Thereafter, the petitioner made an application before the respondent no.4 for removing the encroachment but till date no action has been taken by him.

Accordingly, I dispose of this writ petition with a liberty to the petitioner to approach the District Magistrate, Kaimur at Bhabhua with a representation and the earlier order passed by the Circle Officer in which encroachment was removed. On such representation having been made, the District Magistrate would be required to examine the matter and if it is found that after removal of the encroachment again the public land concerned has been encroached by anybody then he will take immediate steps for removal of the same in accordance with law but not before granting reasonable opportunity to all the concerned. Thereafter, he will also ensure that



after removal of the encroachment the concerned land is not again encroached by anybody.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
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