

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7600 of 2017**

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Ramesh Singh @ Ramesh Pd. Singh

.... .... Petitioner/s

Versus

The State of Bihar & Ors

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Respondent/s : Mr. Sajid Salim Khan- Sc25

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      19-05-2017                      The petitioner is aggrieved with the notice dated 13.05.2017 issued in Encroachment Case No. 01 of 2017-18 under the Signature of Circle Officer, Jamui, respondent no.4, as contained in Annexure-1, whereby the petitioner has been directed to remove the encroachment from the land appertaining to Khata No. 10, Plot No. 252 situated in Mauza Manjaur and if the petitioner will not remove the encroachment then the same will be removed with the help of police force the cost of the same will be recovered from the petitioner.

It is submitted by learned counsel for the petitioner that the notice does not stipulate whether the notice has been issued under Section 3 or Section 6 of the Bihar Public Land Encroachment Act, though the purport of the notice suggests that notices has been issued under Form-II under Section 6 of the Bihar Public Land Encroachment Act but, it does not suggest of any final



order having been passed in an encroachment proceeding.

It is further submitted that a title suit being Title Suit No. 29 of 2017 is also pending with regard to land in question between the neighbour of the petitioner and the petitioner. One Arbind Singh also filed an application before the competent authority under Public Dispute Redressal Act where also it was found that the land in question is of the petitioner.

Learned counsel for the respondent-State submits that the order passed by Sub-divisional public Grievance Redressal Officer, as contained in Annexure-3, does not depict the detail of the land which the subject of the same proceeding.

This Court, without entering into the merit of the case or claim of the petitioner, disposes of the present writ application with a direction to the Circle Officer, Jamui, respondent no.4, to conclude the encroachment Case No. 01 of 2017-18 expeditiously within a period of four months after issuing notice and giving opportunity of being heard to all affected persons.

It is made clear that till the conclusion of the encroachment proceeding, the status quo, as existing today, shall be maintained.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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