

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19404 of 2016

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1. Dinesh Sahu, S/o late Balram Sahu, R/o village - Kishanpur, P.O. - Nawada Panchayat - Ramauli P.S. Bahera, Dist - Darbhanga in the capacity of Public representative.
 2. Ram Bahadur Yadav, S/o late Doman Yadav, R/o village - Kishanpur, P.O. - Nawada Panchayat - Ramauli P.S. Bahera, Dist - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Darbhanga.
3. The Sub Divisional Officer, Benipur, Darbhanga.
4. The Circle Officer, Benipur Anchal, Darbhanga.
5. The Superintendent of Police, Darbhanga.
6. The Deputy Superintendent of Police, Benipur, Darbhanga.
7. The Thanadhyaksh, Police Station Bahera.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jagarnath Singh, Advocate
Mr. Vasudeo Ram, Advocate

For the Respondent/s : Mr. AJAY- GA5

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 01-05-2017

Inter alia contending that in public path having description of Khesara No.895 in Gram Panchayat Raj Ramauli of Benipur Block under the District of Darbhanga, encroachment has been committed by the encroachers and in spite of complaint made to the Circle Officer and the Police authorities, no action is being taken and further contending that in spite of the orders passed in Civil Writ Jurisdiction Case No.4309 of 2015, the encroachments are not being removed, this petition has been filed in public interest.



Keeping in view the aforesaid grievance of the petitioners, we deem it appropriate to direct the petitioners to file certified copy of the order along with relevant documents before the statutory authority in order to remove the encroachment under the Bihar Public Land Encroachment Act and on the same being done, the statutory authority shall remove the encroachment after hearing all concerned and after following due process of law, preferably within a period of six months from the date of receipt of a certified copy of order.

With the aforesaid, the writ petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N. A. F. R.
CAV DATE	N. A.
Uploading Date	04.05.2017
Transmission Date	

