

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7417 of 2015**

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Prema Devi, Wife of Sri Baban Singh, Resident of Village- Baruna, P.S.-  
Natwar, Anchal-Dinara, District-Rohtas

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Collector-cum-District Magistrate, Rohtas
3. Sub-Divisional Officer, Bikramganj, District-Rohtas
4. Deputy Collector, Land Reforms, Bikramganj, District-Rohtas
5. Circle Officer, Dinara, District-Rohas
6. Wakil Paswan, Son of Bhola Paswan, Resident of Village- Baruna,  
Anchal-Dinara, P.S.-Natwar, District-Rohtas

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Prasad Singh  
For the Respondent/s : Mr. Purnendu Singh- Gp27

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

2      17-05-2017                      Heard learned counsel for the petitioner and learned  
A.C. to A.A.G.-10.

The nature of order this Court intends to pass, does  
not require issuance of notice to private respondent no.6.

The present writ application has been filed for a  
direction to the respondent authorities, particularly respondent  
no.5, Circle Officer, Dinara, Rohtas, for initiation of the  
proceeding under the Bihar Public Land Encroachment Act, as the  
land appertaining to Khata No. 125, Plot No. 284, situated at  
Village Baruna, Thana No. 230, under Dinara Circle in the District  
of Rohtas, has been encroached upon by respondent no.6.



It is submitted by the learned counsel for the petitioner that the land in question is a public land which is adjacent to the land of the petitioner appertaining to plot no. 283, and the public land is the only approach way to his land, but the same has been encroached upon by respondent no.6. It is further submitted that the petitioner filed Land Dispute Case No. 70 of 2013-14 before the D.C.L.R., Bikramganj, Rohtas for removal of the encroachment from the public land. The D.C.L.R., Bikramganj, Rohtas disposed of the said application vide order dated 07.10.2013 with liberty to the petitioner to approach the Circle Officer for redressal of his grievance. The said order has been brought on record as Annexure-1 to the writ application. Consequently, the petitioner submitted a representation before the Circle Officer, Dinara on 24.10.2013, as contained in Annexure-2, but the representation of the petitioner has not been disposed of till date. The petitioner received an information by filing an application under R.T.I., that till date no encroachment proceeding has been initiated. The said application has been brought on record as Annexure-3(series).

Since the present writ application has been filed in the year 2015 and till date no counter affidavit has been filed, this Court is not inclined to adjourn the matter any further.



In the facts and circumstances of the case, let the respondent no.5, Circler Officer, Dinara dispose of the representation of the petitioner with a speaking order and if he arrives at a conclusion that the public land has been encroached upon, then it is expected that an appropriate proceeding under the Bihar Public Land Encroachment Act is initiated and taken to its logical conclusion within a period of four months from initiation of such proceeding after giving due opportunity of hearing to all affected persons.

With the above observation and direction, the present writ application is disposed of.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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