

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.661 of 2016

Arising out of

Civil Writ Jurisdiction Case No. 1692 of 2015

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Rajendra Prasad Singh, Son of Ramyash Singh, resident of Village Rajpur Manglapur, Police Station- Sangrampur, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reforms, Government of Bihar, Patna.
2. The Collector, East Champaran.
3. The Additional Collector, East Champaran.
4. The Deputy Collector, Land Reforms, East Champaran.
5. The Circle Officer, Sangrampur, East Champaran.

.... Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s : Mr. Rajan, A.C. to G.A. 11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 05-07-2017

None appears for the appellant. None had appeared on the last date also.

Perused the record.



Delay of 14 days in filing of this appeal is condoned.

I.A. No. 2844 of 2016 stands allowed and disposed of.

In the matter of removal of encroachment from Plot Nos. 3536, 3602, 3604 and 3611, the writ petition in question was filed and the learned Writ Court took up the matter on 18.09.2015. The Circle Officer was present in the Court along with the original records and also filed a supplementary affidavit and after going through the records, the learned Writ Court was satisfied that the encroachments have been removed and certain part of the area has been settled in the name of certain individuals like Shiv Dhari Hajara and Gauri Shankar Hajara and after taking note of the factual aspect that came on record, the writ petition was disposed of with the following directions:-

“However, the District Magistrate, East Champaran is directed to issue directive to all the concerned of the district including the Circle Officer as well as officer-in-charge of the local police station to ensure that encroachment is not made upon the aforesaid land in future by anybody. It is further made clear that if there is again any encroachment over the said land then the petitioner would be at liberty to inform the same to the District Magistrate, East Champaran so that not only proper action is taken for removal of the encroachment but proper action be taken also against the erring officials who have ignored



the direction of this Court and had allowed the encroachment upon the aforesaid land.”

Keeping in view the issue addressed by the learned Writ Court and the orders passed, we find no error or illegality in the same warranting reconsideration.

This Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	06.07.2017
Transmission Date	

