

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10806 of 2013

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Uday Pratap Singh Son Of Lalan Singh Resident Of Village - Rampur, P.O. -
Sasaram (Mufassil), District - Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar Through Chief Secretary Govt. Of Bihar, Patna
2. The District Magistrate, Rohtas
3. The Sub-Divisional Officer, Sasaram
4. The Circle Officer, Sasaram (Rohtas)
5. Mohan Singh Son of Jai Gobind Singh Resident of Village - Rampur, P.S. -
Sasaram (M), Distt. - Rohtas (Bihar)
6. Rajesh Singh Son of Mohan Singh Resident of Village - Rampur, P.S. - Sasaram
(M), Distt. - Rohtas (Bihar)
7. Manohar Singh Son of Mohan Singh Resident of Village - Rampur, P.S. -
Sasaram (M), Distt. - Rohtas (Bihar)
8. Rajeev Singh Son of Mohan Singh Resident of Village - Rampur, P.S. - Sasaram
(M), Distt. - Rohtas (Bihar)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date: 19-04-2017

Heard learned counsel for the petitioner and learned

S.C.-19 for respondent nos. 1 to 4.

In view of the nature of dispute, this Court does not
intend to pass any order for issuance of notice to private
respondent nos.5 to 8.

The present writ application has been filed for a
direction to the respondent authorities to get the encroachment
removed from the land appertaining to Plot No. 919, Khata No.



202, situated at Rampur Village under Sasaram Block in the District of Rohtas.

Learned counsel for the petitioner submits that the land in question is recorded in Revisional Survey Khatiyana as Gairmajarua Sarv Sadharan Anavad and the same has been encroached by respondent nos. 5 to 8. Several public petitions were submitted before the respondent authorities, as contained in Annexure- 1 to 3 for removal of said encroachment but the same has not been removed till date.

Learned S.C.-19 submits that at present he does not have any specific instruction with regard to initiation of encroachment proceeding or removal of the encroachment.

In the circumstances, the present writ application is disposed of with liberty to the petitioner to submit a representation before respondent no.2, District Magistrate, Rohtas who will dispose of the representation of the petitioner with reasoned order within three weeks of submission of the same and if it is found that encroachment has been made on a public land and authorities decide to initiate proceeding under Bihar Public Land Encroachment Act then the same should be initiated and should be taken to its logical conclusion within a period of four months of initiation of proceeding after giving due opportunity of being



heard to all affected persons.

(Dinesh Kumar Singh, J)

Amrendra/-

AFR/NAFR	
Uploading Date	09/05/2017

