

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12737 of 2013

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1. Nathuni Mahto Son Of Audan Mahto Resident Of Village- Dakshin
Banakata, P.S.- Baikunthpur, District- Gopalganj

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Gopalganj
3. The Circle Officer, Baikunthpur
4. The Officer Incharge, Baikunthpur Police Station, District- Gopalganj
5. Bhagwan Prasad Kushwaha Son Of Late Jhakur Prasad Kushwaha
Resident Of Village- Dakshini Bankataya, P.S.- Baikunthpur, District-
Gopalganj

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Shrivastava, Adv
For the Respondent/s : Mr. A.C to S.C.- 20

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

2 20-04-2017 Learned counsel for the petitioner as well as
learned A.C to S.C-2 are present.

This application has been filed for issuance of a
direction to the respondent authorities to remove the encroachment
over public land situated at Village-Dakshini Bankati, Khata No.
501, Road No. 2474, Area 1 Bigha, 9 Katha, 6 dhur.

It is submitted by learned counsel for the
petitioner that the petitioner had earlier come before this Court in
C.W.J.C No. 4656 of 2011, which was disposed of with a



direction to the petitioner to bring the facts to the notice of District Magistrate, Gopalganj or the Sub Divisional Officer, Gopalganj who will taken action against respondent no. 5, either under the Encroachment Act or under Section 133 of the Cr.P.C.

It is submitted that thereafter a petition was filed before the Deputy Collector, Land Reforms, Gopalganj on 20.07.2000, but till date no order has been passed. It is further submitted that a representation **has also been submitted** before the Circle Officer, Baikunthpur, Gopalganj, as is contained in Annexure-4, to get the land measured and to get the encroachment removed.

Learned counsel for the petitioner has confined his prayer only to the disposal of his representation filed before the Circle Officer, Baikunthpur, Gopalganj.

In view of the facts abovementioned, this application is disposed of with a direction to the respondent no. 3, Circle Officer, Baikunthpur, Gopalganj, to dispose of the representation of the petitioner with a reasoned order after affording opportunity of hearing to all the effected persons, within a period of four weeks from the date of receipt of this order.

(Dinesh Kumar Singh, J)

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