

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12794 of 2014

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Anil Kumar, son of Sri Jamuna Prasad Verma, Resident of Village -
Srirampur, Police Station - Bihta, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Patna
3. The Sub Divisional Officer, Danapur, Patna
4. The Officer In-Charge, Police Station, Bihta, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Respondent/s : Mr. Ravindra Kumar, AC to AAG-6

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

2 31-07-2017 Heard Mr. Anil Kumar, learned Counsel appearing
on behalf of the petitioner and Mr. Ravindra Kumar, learned AC
to AAG-6 appearing on behalf of the respondent – State.

The present writ application has been filed for a
direction to respondent authorities to initiate encroachment
proceeding under the provisions of the Bihar Public Land
Encroachment Act, 1956 (hereinafter called as ‘the Act), for
getting the encroachment removed over the land running from
Bihta Bazar to Surya Mandir, situated at Sri. Rampur road.

It is submitted by learned Counsel appearing on
behalf of the petitioner that on 05.03.2013, the petitioner
submitted representation before Respondent No.2, the District



Magistrate, Patna and Respondent No.3, the Sub-Divisional Officer, Danapur, Patna as well as before Respondent No.4, the Officer In-charge, Bihta Police Station, as contained in Annexures- 1 to 3.

A counter affidavit has been filed on behalf of Respondent Nos. 2 and 3, making statement in paragraph no.8 of the counter affidavit that the Encroachment Case No. 03 of 2015-16 has been initiated and notices have been issued to the encroachers of the land in question.

Considering the fact that a proceeding has already been initiated, it is expected from the Circle Officer, Bihta, who has not been made party respondent in the present proceeding, before whom Encroachment Case No. 03 of 2015-16 is pending, to conclude the said proceeding within a period of two months from the date of receipt/production of a copy of this order, after giving due opportunity of hearing to all the affected persons, under the provision of the Act.

Accordingly, the writ application is disposed of.

(Dinesh Kumar Singh, J)

Ashwini/-

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