

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19283 of 2013

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Rabindra Kumar Sinha, S/O Late Baiju Mahto, Resident of Village-
Basanpur, P.O- Uttarnama, P.S- Rahui, Distt- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Nalanda at Biharsharif.
2. The Sub Divisional Officer, Biharsharif, Nalanda.
3. The D.C.L.R. Biharsharif, Nalanda.
4. The Circle Officer, Rahui, Nalanda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Sri Kamala Prasad Roy, Adv.

For the State : Mr. Kameshwar Kr. GP-17

Mr. S. K. Ranjan, AC to GP17

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-06-2017 Heard learned counsel for the petitioner and learned
AC to GP-17.

The present writ application has been filed for a direction to respondent authorities for removal of encroachment over Plot No. 5898, Khata No. 991, measuring area 48 decimals situated in the village – Basanpur, P.O- Uttarnama, P.S.- Rahui, in the District of Nalanda as the same has been recorded in Khatiyani as ‘Gair Majarua Aam Land’ and is being used for irrigation purpose by the villagers.

Learned counsel for the State submits that a statement has been made in the counter affidavit that Encroachment Case No. 02/14-15 has been initiated by respondent



no.4, the Circle Officer, Rahui and notices have been issued to the encroachers, hence, the writ application be disposed of with a direction to respondent no.4 to conclude the encroachment proceeding within a time frame.

Learned counsel for the petitioner agrees for disposal of the present writ application in terms of direction of disposal of the above mentioned encroachment proceeding within stipulated time frame.

In the circumstances, the present writ application is disposed of with a direction to respondent no.4 to take the Encroachment Case No. 02/14-15, to its logical conclusion, after giving opportunity of being heard to all the affected person in accordance with the provisions of the Bihar Public Land Encroachment Act within a period of three months from the date of receipt/production of a copy of this order.

(Dinesh Kumar Singh, J)

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