

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9251 of 2017

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1. Udai Narayan Sharma, Son of Late Ram Kumar Sharma, resident of Village+P.O.- Babu Amauna, P.S.- Daudnagar, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary to the Department of Rural Development, Govt. of Bihar, Old Secretariat, Patna.
2. The District Magistrate-cum-Collector, Aurangabad.
3. The Circle Officer, Daudnagar, District- Aurangabad.
4. District General Manager, I.C.D.P., Aurangabad.
5. Subodh Kumar Singh, son of Late Brijnandan Prasad Singh, Chairman, PACS, Gordiha Gram Panchayat, resident of Village- Babu Amauna, P.S.- Daud Nagar, District- Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh, Advocate

For the Respondent/s : Mr. Anjani Kumar-AAG-4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 01-08-2017

Inter alia contending that encroachments have been undertaken by respondent No.5 in a plot bearing Plot No.2524 and 2526 in Khata Nos.303 and 304 in village Babu Amauna, P.S. Daudnagar, Aurangabad and respondent Nos.3 and 4 are not taking any action, this application has been filed in public interest under Articles 226 and 227 of the Constitution.

It seems that on the basis of the allegations made by the petitioner, the matter was being enquired into, but no final



decision seems to have been taken.

Be that as it may, for the present, without entering into the controversy on merit and without expressing any opinion on the allegations made by the petitioner, respondent Nos.3 and 4 or any other competent authority, in exercise of statutory powers under the Bihar Public Land Encroachment Act, shall proceed to take action for removal of encroachment, if any, after following due process of law and shall conclude the same within a period of six months from the date of receipt/production of a copy of this order.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	5.8.2017
Transmission Date	N/A

