

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4616 of 2014

=====

Ram Lakhan Choudhary S/O Shri Kishun Chaudhary, R/O Village + P.S.
Jagdishpur, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar Through Secretary, Revenue And Land Reforms
Department, Govt. Of Bihar, Patna
2. The District Magistrate, Bhagalpur, District- Bhagalpur
3. The Sub Divisional Officer, Bhagalpur, District- Bhagalpur
4. The Anchaladhikari, Jagdishpur, District Bhagalpur
5. Gopal Paswan S/O Late Anandi Paswan, R/O Village- Jagdishpur,
District- Bhagalpur

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
Mr. Ranjan Kumar Jha, Advocate

For the Respondent/s : Mr. Amaresh Kumar Sinha, AC to GA-1.

=====

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

04/ 22-08-2017

The present writ application has been filed for

directing the respondent authorities to get the encroachment removed, made by respondent no. 5, from the land appertaining to Thana No. 418, Khata No. 480, Plot No. 346 (measuring an area of 4 decimals) situated in Mauza Jagdishpur in the District of Bhagalpur, which is used by the public at large as a public road, which connects Jagdishpur Dalit Tola to main road. The nature of the land is recorded in Khatian as Gairmajarua Sarv Sadharan and for removal of the encroachment from the land in question, a proceeding has been initiated vide Encroachment Case No. 06 of



2009-10.

A counter affidavit has been filed on behalf of respondent nos. 2 to 4, from which it reflects that Encroachment Case No. 06 of 2009-10 has already been dropped, since no encroachment was found on the land in question, as gets reflected from the order dated 21.06.2015 passed in Encroachment Case No. 06 of 2009-10, by respondent no. 4, Circle Officer, Jagdishpur.

Since the dropping of proceeding under the Bihar Public Land Encroachment Act is appealable, the petitioner is at liberty to prefer an appeal, if so advised.

In the circumstances, this writ application has become infructuous and accordingly, the same is disposed of.

(Dinesh Kumar Singh, J)

DKS/-

U			
---	--	--	--

