

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2087 of 2017

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1. Mahesh Sahani, Son of Bachu Sahani, Resident of Village-Kalwari Majhariya,
P.S.-Adapur, District-East Champaran

.... Petitioner

Versus

1. The State of Bihar
2. The District Collector, Motihari East Champaran.
3. The Sub Divisional Officer (S.D.O.) Raxaul, East Champaran.
4. The Circle Office Adapur, East Champaran
5. Kishori Prasad Son of Late Bhola Prasad
6. Anil Prasad
7. Arun Prasad
8. Binod Prasad
9. Parmod Prasad
10. Gabar Prasad, all are Son's of Kishori Prasad
11. Nishu Prasad Son of Late Budhawan Prasad, all are Resident of Village-Kalwari Majhariya, P.S.-Adapur, District-East Champaran

.... Respondents

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Appearance :

For the Petitioner : Mr. Vijay Shankar Shrivastava, Advocate
For the State : Mr. Rakesh Kr. Shrivastava, A.C. to G.P. 15

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 17-02-2017

Heard parties.

Grievance of the petitioner is that despite application filed by him before the Circle Officer, Adapur, East Champaran as well as the Sub-Divisional Officer, Raxaul, East Champaran, no action has been taken by the authorities for removing the encroachment from the public land.

In above view of the matter, this writ application stands disposed of with a liberty to the petitioner to file properly drafted



application before the respondent no.4, the Circle Office Adapur, East Champaran and who shall, thereafter, examine as to whether there is any encroachment upon the public land of plot no.158 of khata no.3 and plot no.1434 of khata no.280 of Mauza Kalwari Majhariya or not. If, prima facie, he is satisfied that there is some encroachment upon the public land then he will initiate a proceeding under Bihar Public Land Encroachment Act, 1956 and bring the same to its logical conclusion within a period of four months from the date of filing of such application along with a copy of this order.

If is further made clear that no final decision or action should be taken by him without granting reasonable opportunity to all the concerned including the private respondents.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

