

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18420 of 2016

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Preeti Sinha Wife of Sri Amal Kumar Sinha, D/o Late Ram Payari Devi husband of
Late Laxmi Chandra Verma @ Chand Babu resident of Rana Pratap Nagar
Islampur, District at Nalanda

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Nalanda
3. The Sub Divisional Officer Hilsa Nalanda
4. The Superintendent of Police, Nalanda
5. The Circle Officer, Islampur, District Nalanda
6. The Police in In Charge P.S. Islampur District at Nalanda
7. Manju Devi Wife of Shravan Yadav, S/o Late Payray Gope resident of
Maharana Pratap Nagar, Islampur, District Nalanda

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajesh Dayal

For the Respondent/s : Mr. Bandana Singh, AC to GP18

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 17-02-2017

Heard petitioner and the State.

On limited issue being raised at the time of hearing of
this writ application, the same stands disposed of, without going into
the merit of the case, with a liberty to the petitioner to approach the
Circle Officer, Islampur, respondent no. 5, by filing an application for
removal of alleged encroachment by the respondent no. 7.

After such application is filed, the Circle Officer would
first examine the matter as to whether there is encroachment on a
public land or the road or not. If he is satisfied that there is



encroachment upon a public land or road then he will initiate a proceeding for removal of encroachment in accordance with law and bring it to its logical conclusion within a period of four months from the date of receipt / production of a copy of this order. It is made clear that nothing should be done without granting reasonable opportunity provided under the Bihar Public Land Encroachment Act, 1956 to all the concerned persons including the respondent no. 7.

However, if the Circle Officer is not satisfied regarding any encroachment on a public land or a road then he would be required to pass a reasoned order and communicate it to the petitioner.

(Dr. Ravi Ranjan, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
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