

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12839 of 2017

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Jagarnath Prasad Yadav, Son of Amiri Lal Yadav, Resident of Village- Paktola
Tola Hanuman Nagar, P.S.- Dumra, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The District Magistrate, Sitamarhi.
3. The Sub-Divisional Officer, Sitamarhi Sadar, Sitamarhi.
4. The D.C.L.R., Sitamarhi Sadar, Sitamarhi.
5. The Circle Officer, Dumra.
6. The Block Development Officer, Dumra.
7. Vijay Prasad Yadav, Ex-Mukhia son of Late Raj Jatan Rai,
8. Shiv Charan Rai, son of Suna Rai,
9. Durga Rai, Son of Suna Rai,
10. Nagendra Rai, son of Late Bhikhari Rai,
11. Nageshwar Rai, Son of Bhikhari Rai,
12. Ram Sanyog Rai, Son of Anutha Rai, All respondent 6 to 11 resident of
Village- Paktola Tola Hanuman Nagar, P.S.- Dumra, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar, Advocate
		Mr. Subodh Kumar, Advocate
For the Respondent/s	:	Mr. RISHI RAJ SINHA-SC19

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-09-2017

This application in public interest has been filed seeking removal of encroachment from the area in question which is said to have been encroached by respondent Nos.6 to 11. The petitioner seems to have made representation to the Circle Officer, who is the statutory authority under the Bihar Public Land



Encroachment Act to remove the encroachment, but the grievance is that no action is being taken by the authority.

That being so, we direct that on the petitioner filing a certified copy of this order along with relevant documents and an application for removal of encroachment before respondent No.5, the Circle Officer, he shall proceed to take action in accordance to the provisions of Bihar Public Land Encroachment Act, issue notice to the encroachers and hear them and after following the due process of law, pass necessary orders within six months.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	4.10.2017
Transmission Date	

