

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9052 of 2014

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1. RAMESH PURI SON OF KEWAL NATH PURI, RESIDENT OF VILLAGE-
MEHIAN, P.S.- CHAPRA MUFFASSIL, DISTRICT- SARAN (BIHAR)

.... Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE COLLECTOR, SARAN AT
CHAPRA (BIHAR)
2. THE SUB DIVISIONAL OFFICER, CHAPRA SADAR, DISTRICT- SARAN
(BIHAR)
3. THE DEPUTY LAND REFORMS OFFICER, CHAPRA, DISTRICT- SARAN
(BIHAR)
4. THE CIRCLE OFFICER, CHAPRA (SADAR), DISTRICT- SARAN (BIHAR)
5. ROOPJHARI DEVI WIFE OF KAMESHWAR SINGH RESIDENT OF
VILLAGE- MEHIA, P.O.- CHAPRA SADAR, P.S.- CHAPRA MUFFASSIL,
DISTRICT- SARAN (BIHAR)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Respondent/s : Mr. AC to AAG 15

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

Date: 16-05-2017

Heard learned counsel for the petitioner and AC to AAG

15 for the respondent State.

The present writ application has been filed for a direction to the respondents to take action against the private respondent no. 5 in view of the order dated 10.9.2009 passed in C.W.J.C. No. 11906 of 2009 for removing the encroachment from public drainage appertaining to Plot Nos. 1112, 1113 and 1098 situated in village Mehian, Sadar, Chapra in the District of Saran.

It appears that the father of the petitioner Kewal Nath Puri approached this Court vide C.W.J.C. No. 11906 of 2009 which



was disposed by a bench of this Court vide order dated 10.9.2009 whereby the Executive Magistrate, Chapra was directed to take up the pending enquiry and take the proceeding to its logical conclusion within a time frame. Consequently, Encroachment Case No. 3 of 2009-10 has been initiated.

The counter affidavit filed on behalf of respondent no. 4 reflects that notices have been issued in the encroachment proceeding and it has been found that the petitioner is himself an encroacher.

Without expressing any opinion on the merits of the issue of encroachment, this writ application is disposed of with a direction to respondent no. 4 the Circle Officer, Chapra (Sadar) to take the proceeding of aforementioned encroachment case to its logical conclusion within a period of three months from the date of receipt/production of a copy of this order after giving opportunity of hearing to all affected persons under the provisions of Bihar Public Land Encroachment Act.

(Dinesh Kumar Singh, J)

Anil/-

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

