

Anirudh Thakur, Son of Bhagwan Thakur, Resident of Village -Mahega
Malpur, Police Station - Patepur, District - Vaishali.

.... Petitioner

Versus

1. The State of Bihar through the Collector, Vaishali.
2. Land Reforms Deputy Collector, Mahua, Vaishali.
3. Circle Officer, Patepur, Vaishali.
4. Usha Devi, Wife of Late Jagdish Thakur, Resident of Village - Malpur, P.S. - Patepur, District- Vaishali.
5. Rasil Roy, Son of Palan Roy, Resident of Village - Malpur, P.S. – Patepur, District - Vaishali.

.... Respondents

Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh, Adv.
Mr. Baidyanath Thakur, Adv.
For the Respondent/s : Mr. Amit Katariyar, A.C. to A.A.G.-13.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-08-2017 Heard Mr. Baidyanath Thakur, learned counsel for the
petitioner and Mr. Ankit Katariyar, learned A.C. to A.A.G.-13 for
respondent nos. 1 to 3.

Since the case was registered on 22.10.2014 and till date, no counter affidavit has been filed, this Court is not inclined to adjourn the matter any further.

The nature of order, this Court intends to pass, does not require issuance of notice to private respondent nos. 4 and 5.

The present writ application has been filed for a direction to the respondent authorities to dispose of Land Encroachment Case No. 11 of 2013-14, which was initiated for



getting the encroachment removed over the land appertaining to Khata No. 1402, Plot No. 514, situated in Mauza Maheya Malpur, P.S. Patepur, District-Vaishali.

It is submitted by learned counsel for the petitioner that Land Encroachment Case No. 11 of 2013-14 was initiated in the year 2013, but till date, the same has not been concluded.

Mr. Ankit Katariyar, learned A.C. to A.A.G.-13 submits that at present, he does not have any instruction, as to whether proceeding of Encroachment Case No. 11 of 2013-14 has been concluded or not, but if it has not been concluded, it will be concluded within a period of two months.

Having heard the learned counsels for the parties, this Court is dismayed to find that the encroachment proceeding, which is summary in nature, is being prolonged for years together, which reflects the casual manner in which the instrumentalities of the State are discharging the quasi judicial functions.

In the circumstances, it is expected from respondent no.3, the Circle Officer, Patepur to conclude the proceeding of Encroachment Case No. 11 of 2013-14 within a period of two months from the date of receipt/production of the copy of this order, if it has already not been concluded, after giving due opportunity of hearing to all affected persons, in accordance with



the provisions of the Bihar Public Land Encroachment Act, 1956.

Accordingly, the present writ application is disposed
of.

(Dinesh Kumar Singh, J)

Amrendra/-

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