

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7337 of 2017

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1. Ram Balak Sah, Son of Late Ramautar Sah, Resident of Village+P.O.-
Parsurampur, P.S.- Parsauni, Distt- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue Department, Bihar,
Patna.
2. The District Magistrate cum Collector, Sitamarhi.
3. The District Land Acquisition Officer, Sitamarhi.
4. Sub Divisional Officer, Belsand.
5. Deputy Collector Land Reform, Belsand.
6. Block Development Officer, Parsauni.
7. Circle Officer, Parsauni.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar
Mr. Subodh Kumar, Advocates
For the Respondent/s : Mr. Subhash Chandra Yadav-GP-15

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-07-2017 Heard Mr. Devendra Kumar, learned counsel for the
petitioner and Mr. Rakesh Kumar Shrivastava, AC to G.P. 15.

The present writ application has been filed for a direction to the respondent authorities for removal of the illegal encroachment made by anti-social elements over the raiyati land of the petitioner measuring an area of 0.02 decimals pertaining to Khata No. 948 Thana No. 283 Plot No. 4778 and also from the public road pertaining to Plot No. 4779, situated in village – Parashurampur, District Sitamarhi.

Learned counsel for the petitioner confines his prayer only to the extent of removal of the encroachment from the public road pertaining to Plot No. 4779, with a liberty to avail appropriate remedy for removal of encroachment from the raiyati land.

It is submitted by learned counsel for the petitioner that



village road is situated over Plot No. 4779 and adjacent to the same there is ancestral land of the petitioner pertaining to Plot No. 4778. It is further submitted that the petitioner also filed a representation before the Public Grievance Redressal Cell wherein vide Issue No. 50421- 00693 dated 21.3.2017, the Public Grievance Redressal Officer, Belsand, Sitamarhi, directed the petitioner to raise his grievance in the already pending Encroachment Case No. 9 of 2016-17. It is further submitted that the Circle Officer, Belsand has initiated proceeding being Encroachment Case No. 9 of 2016-17 under Bihar Public Land Encroachment Act but till date no order has been passed.

Learned AC to G.P. 15 submits that at present he does not have any instruction whether the aforesaid Encroachment Case has been concluded or not.

In the circumstances, after having heard learned counsel for the parties, this Court directs respondent no. 7, Circle Officer, Parsauni, to take the proceeding of Encroachment Case No. 9 of 2016-17 to its logical conclusion within a period of three months from the date receipt/production of a copy of this order, after giving due opportunity of hearing to all the affected persons in accordance with the provisions of Bihar Public Land Encroachment Act.

Accordingly, this writ application stands disposed of.

(Dinesh Kumar Singh, J)

Anil/-

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