IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10834 of 2017

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Tanbir Ahmad Usmani, son of Md. Shami Usmani, Resident of Village- Sahwajpur Mhanaiya, Mamron, P.S. Dalsinghsarai, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land Revenue Department, Government of Bihar, Patna
2. The Secretary, Land Revenue Department, Government of Bihar, Patna
3. The District Magistrate-cum-District Collector, Samastipur
4. The Sub-Divisional Officer, Dalsinghsarai, Samastipur
5. The Circle Officer, Dalsinghsarai Circle Office, Samastipur

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Brisketu Sharan Pandey, Advocate
Mr. Prince Kumar Mishra, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam- AAG12

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-08-2017 Keeping in view the averments made in the writ petition and the statements made in the document Annexure-P/3, prima facie, it seems to be a case of encroachment as canvassed by the petitioner in the area in question as detailed in para-4 of the writ petition.

As the Circle Officer, Respondent No. 5 is the competent statutory authority under the Bihar Public Land Encroachment Act to take action for removal of encroachment, we direct that on the petitioner's filing certified copy of this order along with the relevant documents, the Respondent No. 5 shall

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register a case under the statutory provision, issue notice to all concerned and after hearing all concerned to ensure that encroachment, if any, in the area in question is removed within a period of six months.

With the aforesaid, the writ petition stands disposed of.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

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