

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11486 of 2018

Shivkant Kumar, son of Sri Dinesh Prasad Singh, resident of Village Behind Math, Sultanpur, Danapur, P.S. Danapur, District Patna.

..... Petitioner

Versus

1. The Union of India through the Ministry of Rural Development Department of Rural Development, Government of India, Krishi Bhawan, New Delhi-110114.
2. The Joint Secretary, (MGNAREGA), Government of India, New Delhi.
3. The State of Bihar through the Chief Secretary, Bihar, Patna.
4. The Principal Secretary, Rural Development Department, Bihar, Patna.
5. The Director General of Police, Bihar, Patna.
6. The District Magistrate, Patna.
7. The Senior Superintendent of Police, Patna.
8. The Superintendent of Police, Patna.
9. The Deputy Development Officer, Danapur, District Patna.
10. The Sub Divisional Officer, Danapur, District Patna.
11. Dy. S.P. Danapur, District Patna.
12. The Anumandaliya Lok Shikayat Niwaran Padadhikari, Danapur, District Patna.
13. The Circle Officer, Anchal Maner, District Patna.
14. The Block Development Officer, Maner, District Patna.
15. The Station House Officer, maner, District Patna.
16. Sri Shyam Bihari, son of late Jagdeo Prasad @ Gaggu, resident of Village Byapur, P.S. Maner, District Patna.
17. Sri Ram Bihari, son of late Jagdeo Prasad @ Gaggu, resident of village Byapur, P.S. Maner, District Patna.
18. Sri Tunni Rai, son of late Jagdeo Prasad @ Gaggu, resident of village Byapur, P.S. Maner, District Patna.
19. Sri Surya Rai, son of Sri Tunni Rai, resident of village Byapur, P.S. Maner, District Patna.
20. Sri Ashok Rai, son of late Teja Rai, resident of village Byapur, P.S. Maner, District Patna.

... .. Respondents



Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate
For the Respondent/s : Mr. Anjani Kumar -AAG 4

**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

(Per: HONOURABLE THE CHIEF JUSTICE)

2 10-07-2018 Learned counsel for the petitioner is permitted to make necessary correction in the cause title. Correction be carried out during the course of the day.

Inter alia contenting that there is an encroachment over plot no.627 situated in village of Byapur, P. S. Maner, Sub-Division-Danapur, this application has been filed for removal of the encroachment and it is alleged that private respondent nos.16 to 20 are responsible for the encroachment.

If that be so, the petitioner may file a certified copy of this order along with detailed representation before the Circle Officer concerned, namely respondent no.13 and on the same being done, respondent no.13 shall register a case as encroachment case under the Bihar Public Land Encroachment Act, 1956 and proceed to remove the encroachment in accordance with law. We may indicate that we have not expressed any opinion on the merits of the allegation made. It is for the Circle Officer to proceed in accordance with law, hear all



concerned and thereafter decide the question of encroachment in
accordance with law preferably within a period of six months.

With the aforesaid, the matter stands disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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