

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2110 of 2018

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Raghuveer Yadav, Son of Makasu Yadav, Resident of Village - Jankipur,
Anchal - Amarpur, P.S. - Amarpur, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate cum Collector, Banka.
3. The Sub Divisional Officer, Banka.
4. The Anchal Adhikari, Amarpur Anchal, Amarpur, District - Banka.
5. Manoj Yadav, Son of Late Mangal Yadav
6. Govardhan Yadav, Son of Jilo Yadav
7. Baldeo Yadav, Son of Late Indradeo Yadav
8. Pinku Yadav, Son of Late Barun Yadav
9. Shivan Yadav, Son of Late Barun Yadav
10. Karu Yadav, son of Late Kailash Yadav
11. Pandhu, Son of Late Kishori Yadav
12. Peru Yadav, Son of Late Mangal Yadav
13. Company Yadav, Son of Late Kishan Yadav
14. Soshindra Yadav, Son of Late Govind Yadav, All Respondent no. 5 to 14 are Residents of Village - Jankipur, Anchal - Amarpur, P.S. - Amarpur, District - Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha
For the Respondent/s : Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 18-06-2018

Heard Mr. Dharendra Nath Jha, learned counsel for the petitioner and Mr. Sajid Salim Khan, learned SC-25 for the respondent-State.

The present writ application has been filed for a direction to the respondent authorities to get the encroachment removed from the public land, appertaining to Khata No. 102, Plot



No. 119, situated in Mauza Jankipur, Circle Amarpur, District Banka.

It is submitted by learned counsel for the petitioner that over the part of the land in question, private Respondent Nos. 5 to 14 have constructed their houses, completely blocking the road in question.

The Circle Inspector, after conducting spot verification, suggested for measurement of the land, vide letter dated 09.03.2013, as contained in Annexure-2. Consequently, Encroachment Case No. 02 of 2012-13 was initiated, but till date, the same has not been taken to its logical conclusion. Hence, the present writ application.

Learned counsel for the respondent-State submits that if the proceeding of Encroachment Case No. 02 of 2012-13 has not been taken to its logical conclusion then the same will be concluded within a time frame.

Considering the rival submission of the parties, it is expected from respondent no.4, the Circle Officer, Amarpur to take the proceeding of Encroachment Case No. 02 of 2012-13 to its logical conclusion, if the same has already not been concluded till date, within a period of two months, after giving due opportunity of hearing to all affected persons including the petitioner and



private Respondent Nos. 5 to 14, 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/-

AFR/NAFR	
CAV DATE	
Uploading Date	19.06.2018
Transmission Date	

