

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9176 of 2018

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Nathuni Singh, Son of late Kishore Singh, Resident of Village-Gunsej, P.S.-
Dinara, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Sub-Divisional Officer, Bikramganj, District- Rohtas.
4. The Circle Officer, Dinara, District-Rohtas
5. Videshi Singh, Son of Late Gauri Singh,
6. Bir Bahadur Singh, Son of Late Gauri Singh
7. Jai Ram Singh, son of late Kapil Singh
8. Ram Chandra Singh, son of Sri Sheo Shankar Singh

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Singh, Adv.
For the Respondent/s : Mr. Rishi Raj Sinha -SC19

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

Date : 15-05-2018

Heard learned counsel for the petitioner and learned
SC-19 for the Respondent-State.

In view of the nature of order this Court intends to
pass, there is no need of issuance of notice to private
Respondent nos. 5 to 8.

The present writ application has been filed for a
direction to the Respondent authorities for getting the
encroachment removed from the public land appertaining to Plot
No.1628, admeasuring an area of 08 decimals and Plot No.1825
(part), Khata No.363, Thana No.352, situated in Village-Gunsej,



Circle + P.S.-Dinara, District-Rohtas.

Since a proper proceeding under the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act') has already been initiated, learned counsel for the petitioner confines his prayer only to the extent of a direction to get the proceeding of Encroachment Case No.27 of 2016-17, concluded, keeping in view the report of the Halka Karmachari, dated 19.09.2016, as contained in Annexure-3, whereby, it has been found that the public land/road has been encroached upon.

It is submitted by learned counsel for the petitioner that finding the encroachment over the land in question, a proper proceeding has been initiated, but it is pending since 2017. Hence, the same may be directed to be concluded forthwith.

It is submitted by learned SC-19 that at present, he is not having any instruction whether the proceeding of Encroachment Case No.27 of 2016-17 has been concluded or not, but if it has not already been concluded, the same will be concluded within a time frame.

In the circumstances, it is expected from the Respondent no.4, the Circle Officer, Dinara, to take the proceeding of Encroachment Case No.27 of 2016-17 to its



logical conclusion, after giving due opportunity of hearing to all affected persons, including Respondent nos. 5 to 8, within a period of three months, after receipt/production of a copy of this order, in accordance with the provisions of the Act.

Accordingly, the writ application is disposed of.

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

