

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18968 of 2018

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Ram Bhajan Ray, Son of Sone Ray, Resident of Ward No. 13 Dadha Daria, P.S. Khajauli, Distt. Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Madhubani.
2. The District Magistrate, Madhubani.
3. The Circle officer, Khajauli Distt. Madhubani.
4. The Sub Divisional Officer (S.D.O.) Madhubani.
5. Ram Parvesh Ray, Son of Ram Autar Ray, R/o Padha P.S Khajauli Distt. Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. RISHI RAJ SINHA- SC19

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date: 12-10-2018

The grievance raised by the petitioner in this application is that although on his complaint an Encroachment Case was drawn by the Circle Officer, Khajauli in the District of Madhubani giving rise to Encroachment Case No. 5 of 2016-17 as against the private respondent no. 5 and even a notice under Section 6(ii) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act') was issued vide Annexure-2 requiring to remove encroachment until 03.04.2017 but this order/direction of the Circle Officer has not reached its finality.



In the nature of the grievance so raised, we deem it proper to dispose of this writ petition with the reminder to the Circle Officer, Khajuli to discharge his obligation under ‘the Act’ for once he has drawn the proceeding against the private respondent, it needs to be taken to its conclusion in accordance with law and after opportunity of hearing to the contesting parties. Accordingly, let the proceeding be concluded within three months from the date of receipt/production of a copy of this order, if not already concluded.

The writ petition is disposed of.

(Jyoti Saran, J)

(Nilu Agrawal, J)

Devendra/Priyanka

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.10.2018
Transmission Date	NA

