

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4866 of 2017

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Prem Choudhary @ Prem Kumar Choudhary, Son of Late Suresh Prasad Choudhary, Resident of Village- Mohanganj, Tarapur, P.S.- Tarapur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Reforms Department, Govt. of Bihar, Patna.
2. The District Magistrate/Collector, Munger District- Munger.
3. The Sub-Divisional Magistrate, Munger District- Munger.
4. The Circle Officer, Tarapur, District- Munger.
5. The Bihar State Religious Trust Board, Patna through its Chairman.
6. Sri Krishan Dev Sah, Son of Late Kamleshwari Sah.
7. Sri Ragav Sah, Son of Krishan Dev Sah, Resident of Village- Lohapatti Tarapur, P.S.- Tarapur, District- Munger.
8. Roshan Sah, Son of Krishan Dev Sah, Resident of Village- Lohapatti Tarapur, P.S.- Tarapur, District- Munger.
9. Devan Singh @ Guard Saheb, Son of Dev Nandan Singh.
10. Sintu Singh, Son of Dev Nandan Singh.
Both are Resident of Village- Lona, P.S.- Tarapur, District- Munger.
11. Prakash Sharma, Son of Nogi Sharma.
12. Shekhar Sharma, Son of Nogi Sharma.
13. Tuntun Sharma, son of Nogi Sharma.
14. Bindu Sharma, Son of Nogi Sharma.
15. Shailendra Sharma, Son of Nogi Sharma,
All are Resident of Village- Kumhar Tola, Tarapur, P.O. + P.S.- Tarapur, District- Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta, Adv.
For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 25-01-2018 Heard learned counsel for the petitioner and the respondent-State.

Learned counsel for the petitioner is permitted to make necessary corrections in the Writ application.

The present Writ application has been filed for a direction



to the respondent authorities to remove the encroachment made by encroachers from the land appertaining to Khata No. 120, Khesra No.142, situated in Mauza- Tarapur, C.O.-Tarapur, District- Munger.

Though the matter was adjourned on 05.07.2017 and 07.11.2017 allowing learned AC to GP-15 and counsel for the Bihar State Religious Trust Board to file counter affidavit, but the same has not been filed till date. However, learned counsel for the petitioner prays that he is confining his prayer only to the extent that representations of the petitioner dated 29.04.2013 and 28.05.2015, as contained in Annexure Nos.1 and 2 respectively, be disposed of by the respondent no.2, the District Magistrate/Collector, Munger.

Learned counsel for the respondent-State has no objection to such prayer of the petitioner.

Accordingly, respondent no.2, the District Magistrate/Collector, Munger is directed to dispose of the representation of the petitioner, as contained in Annexure nos. 1 and 2 respectively, within a period of six weeks from the date of receipt/production of a copy of this order.

It is made clear that this Court has not expressed any opinion with regard to the nature of the land and the jurisdiction



of the Bihar State Religious Trust Board with regard to removal
of such encroachment.

The Writ application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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