

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2125 of 2016

In
Civil Writ Jurisdiction Case No.3394 of 2015

=====

Kiran Sharma Wife of Chhotelal Mistri Resident of village - Takuatarih, P.S.
Rajauli, District - Nawada

... .. Petitioner/s

Versus

1. The State of Bihar t
2. Sri Manoj Kumar, the District Magistrate, Nawada
3. Mr. Maheshi Ram, Additional Collector, Nawada
4. Mr. Rajesh Kumar, S.D.O., Nawada
5. Akhilesh Kumar, D.C.L.R., Nawada
6. Mr. Ashok Kumar, Circle Officer, Nawada
7. Naresh Choudhary Son of Tulasi Choudhary Resident of village -
Takuatarih, P.S. Rajauli, District - Nawada
8. Suresh Choudhary Son of Tulasi Choudhary Resident of village - Takuatarih,
P.S. Rajauli, District - Nawada

... .. Opposite Parties

=====

Appearance :

For the Petitioner/s	:	M/s Md. Kamaluddin and Shashi Kumar, Advocates
For the State	:	Mr. Vivek Prasad, G.P. 7

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT

Date : 18-08-2018

An affidavit has been filed on behalf of the Circle Officer, Rajauli stating therein that the encroachment from concerned plot has already been removed and even debris has also been removed. In support of such submission Annexure A, which is a letter written by the Circle Officer, Rajauli to the Officer-in-Charge, Rajauli, has been appended in which it is stated that the Khesra No. 2171 appertaining to Khata No. 1605 of Mauza Rajauli, Revenue Thana No. 184 has been made



encroachment free and the debris lying therein has also been removed. A direction has been given to the Officer-in-Charge of Rajauli Police Station (Nawada) to be vigilant so that encroachment does not resurface. That apart, photographs have also been appended showing removal of encroachment.

In my opinion, this proceeding cannot continue further as encroachment has already been removed and, accordingly, this application stands disposed of.

However, it is clear that if the encroachment resurfaces then the petitioner would be at liberty to make a complaint before the District Magistrate, Nawada and if he comes to the conclusion that the encroachment has resurfaced then the Officer-in-Charge, Rajauli Police Station would be responsible for that.

(Dr. Ravi Ranjan, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.08.2018
Transmission Date	NA

