

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10094 of 2018

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1. Hargovind Singh Himkar, in Short H.S. 'Himkar' Advocate Patna High Court, Son of Late Ramashish Singh Permanent resident of Village- Khopi, Gram Panchayat Raj Khopi Bishunpur, Police Station- Jandaha, District- Vaishali at Hajipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate-Cum- Collector, Vaishali at Hajipur.
3. The Superintendent of Police, Vaishali at Hajipur.
4. The Deputy Development Commissioner, Vaishali at Hajipur.
5. The Sub-Divisional Magistrate, Sub- Division Mahua, District- Vaishali at Hajipur.
6. The Circle Officer, Circle- Jandaha, District- Vaishali at Hajipur.
7. The Station House Officer Officer, P.S.- Jandaha, District- Vaishali at Hajipur.
8. The Circle Inspector, Circle - Jandaha, District- Vaishali at Hajipur.
9. The Revenue Karmachari, Circle- Jandaha, District- Vaishali at Hajipur.
10. The Anchal Amin, Circle- Jandaha, District- Vaishali at Hajipur.
11. The Nazir, Anchal- Jandaha, District- Vaishali at Hajipur.
12. Sona Paswan @ Sone Lal Paswan Son of late Mira Paswan Resident of Village- Khopi, Anchal- Jandaha, P.S. Jandaha, District- Vaishali at Hajipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Hargovind Singh Himkar (In Person)

For the Respondent/s : Mr. Raj Kishore Roy -GP18

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 30-05-2018 Heard Mr. Hargovind Singh Himkar, in person and Mr. Raj Kishore Roy, G.P.18 for the State respondents.

Though Mr. Himkar relies upon a representation placed at Annexure- 4 in support of his contention that it is on such complaint that the proceeding has been initiated but in my opinion a statutory proceeding has to be initiated in the manner prescribed



and has to satisfy the pre- requisites of a statutory proceeding.

Since encroachment case, according to learned counsel for the petitioner has already been registered I shall grant liberty to him to file a supplementary petition satisfying the requisites of a statutory application supplemental to his complaint and on such filing of an application arraigning the private respondent as an encroacher while giving a details of the encroachment made by him, the Circle Officer as the Collector under the Public Land Encroachment Act (hereinafter referred to as ‘the Act’) shall proceed to dispose of the same in accordance with law after due opportunity of hearing to the petitioner and the private respondent and considering the nature of the grievance raised, let the proceeding be concluded expeditiously and preferably within a period of 3 months of the filing of such application by the petitioner.

This disposes of the writ petition.

(Jyoti Saran, J)

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