

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.565 of 2018

Shiv Shankar Pandey, Son of Kailash Pandey, resident of Ward No. 8, resident of Village- Dharhara, Police Station- Bihiya Chaurasta, District- Bhojpur, Bihar, Pin- 802154.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Bhojpur at Ara.
2. The District Magistrate-cum-Collector, Bhojpur at Ara.
3. The Circle Officer, Bihiya, Bhojpur.
4. Gama Mushar, Son of Late Bhola Mushar.
5. Tejan Mushar, Son of Late Raj Deo Mushar.
6. Shankar Mushar, Son of Tejn Mushar.
7. Shiv Mangal Mushar, Son of Tejan Mushar, All resident of Village- Dharahara (Bihiya), Police Station- Bihiya Chaurasta, District- Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Adv.
For the Respondent/s : Mr. Sajid Salim Khan, SC25

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 02-11-2018

Heard Mr. Jitendra Prasad Singh, learned counsel for the petitioner and Mr. Sajid Salim Khan, S.C.25 for the State.

The complaint of the petitioner is that even when the Circle Officer, Bihiya in the District of Bhojpur has found encroachment over the public land bearing Khata No. 81, Plot No.141 measuring an area of 36 decimals situated at Mauza Dharahara Block Bihiya District- Bhojpur vide Annexure 3 and notice has been issued by him directing the encroachers to remove the encroachment yet the notice has not been taken to its conclusion.



Mr. Singh, has invited the attention to this Court to the representation filed before the District Magistrate, Bhojpur seeking his intervention in the matter which also according to the petitioners, has not disposed of.

The matter was last taken up on 30.04.2018 when learned counsel for the State was given time to seek instructions and file counter affidavit but which has not been filed.

In the circumstances noted and considering the nature of complaint made, we deem it proper to direct the District Magistrate, Bhojpur at Ara to exam the grievance of the petitioner and dispose of the same in accordance with law within a period of 3 months from the date of receipt/production of a copy of this order, if already not disposed.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

(Nilu Agrawal, J)

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.11.2018
Transmission Date	NA

