

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14524 of 2017

Rajeshwar Bhagat, Son of Satyanarayan Bhagat @ Satto Bhagat, Resident of
Village- Nauhatta, P.S. Nauhatta, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Urban Development and Housing
Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Land Reforms and Revenue, Govt. of
Bihar, Patna.
4. The District Magistrate-cum- Collector, Saharsa.
5. The Revenue Officer, Saharsa.
6. The Deputy Collector Land Reforms, Saharsa.
7. The Block Collector, Land Reforms, Saharsa.
8. The Circle Officer, Nauhatta, Saharsa.
9. The President, Bhagwati Mandir Nirman Committee, Nauhatta, District-
Saharsa.
10. The Secretary, Bhagwati Mandir Nirman Committee, Nauhatta, District-
Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Adv.
For the Respondent/s	:	Mr. Mazid Mehboob Khan, AC to AAG-12

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

Date : 02-08-2018

Heard learned Counsels for the petitioner and the
respondent-State.

The present writ application has been filed for a
direction to the respondent authorities for initiating a fresh
proceeding under the provisions of Bihar Public Land
Encroachment Act, 1956 (hereinafter referred to as 'the Act')
for removal of encroachment from the land appertaining to



Khata No. 3220, Plot No.8150, P.S. No.19, situated at Mauja – Nauhatta, District-Saharsa. However, vide order dated 07.02.2011, passed in the Encroachment Case No. 1/2010-11, the DCLR, Saharsa, directed to remove encroachment and to restore the possession of the petitioner over his Raiyati land.

Though a counter affidavit has been filed on behalf of the Respondent Nos. 4, 5 and 6 to the effect that encroachment has been removed from land in question, but now the counsel for the petitioner prays for disposal of the writ application with a liberty to submit proper representation before the Respondent No. 4 and 6, the District Magistrate, Saharsa and the DCLR, Saharsa, respectively with a prayer for implementation of the order dated 07.02.2011, passed in Encroachment Case No. 1/2010-11 in its true spirit.

In the circumstances, the writ application is disposed of with a liberty to the petitioner to submit a representation before the Respondent Nos. 4 and 6, the District Magistrate, Saharsa and the DCLR, Saharsa, respectively, within a period of three weeks from the date of receipt/production of a copy of this order, whereupon, it is expected the Respondent Nos. 4 and 6 to dispose of the representation of the petitioner within a period of six weeks, in accordance with law.



The Writ application is, accordingly, disposed of with
the observation aforesaid.

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

