

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4919 of 2018

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Sudhir Kumar Singh, son of Late Dr. Narendra Pal Singh, resident of Road
No. 14 Keshri Nagar, Patna- 24.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Patna.
2. The Officer-in- Charge, Digha P.S. Patna.
3. The Circle Officer, Sadar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Bardhan Pandey, Advocate
For the Respondent/s : Mr. Sajid Salim Khan – S.C. 25

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 19-09-2018

By way of this petition, under Article 226 of the
Constitution of India, the petitioner has prayed for the following
reliefs:

(i) For direction to the Respondent No. 3 to dispose of
the application filed by the petitioner i.e. Annexure-2 within
reasonable time.

(ii) To initiate and conclude the proceeding under
Section 3 of the Bihar Public Land Encroachment Act.

(iii) To grant any other relief or reliefs for which the
petitioner is entitled from the facts and circumstances of the case.



In pursuance to the notice issued by this Court, a counter is filed on behalf of Respondent No. 3 as well as the Respondent No. 1. It is pointed out that so far as the construction in Plot No. 5105 is concerned, it is a Raiyati land and, therefore, the appropriate authority is not authorized to take any steps.

Now, so far as the another grievance with respect to the encroachment to be removed from the land pertaining to Khata No. 11, Plot No. 5105, Tauzi No. 5070, from Gate No. 79 to 83 situated at Hamidpur Kurji, P.S. Digha, Mauza Digha, Thana No. 1 is concerned, the appropriate authority is directed to initiate the proceedings under the Bihar Public Land Encroachment Act, 1956 at the earliest and conclude the same within a period of 4 months from today.

With this, the present petition stands disposed of.

(Mukesh R. Shah, CJ)

(Ashutosh Kumar, J)

K.C.Jha/Uma/-

AFR/NAFR	NAFR
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