

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3019 of 2019

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Umashankar Singh, aged about 43 Years, Male, S/o Gurphekan Singh,
Resident Of Village Rampur, P.O.-Shuklpipra, P.S.-Mohania, District-Kaimur
at Bhabua.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar.
2. The Divisional Commissioner, Patna.
3. The District Magistrate, Kaimur at Bhabua.
4. The Sub Divisional Officer, Mohania, Kaimur at Bhabua.
5. The Circle Officer, Mohania, Kaimur at Bhabua.
6. Raghunath Singh, aged about 65 Years, Male, S/o Late Sukhan Singh,
Resident of Village-Rampur, P.O.-Shuklpipra, P.S.-Mohania, District-Kaimur
at Bhabua.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Uday Pratap Singh, Advocate.
For the State	:	Mr. Subash Chandra Yadav, G.P. 15.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The following reliefs have been sought for on behalf
of the petitioner in the present writ application.

“1 (i) For issuance of a writ in the nature of Mandamus or any other appropriate writ/direction to the respondent particularly respondent no. 6 to remove the encroachment made on Mauza-Rampur on Khata No. 31, Khesra Nos. 11, 147, 139, 133, 131, Area 51 and 49 Decimals respectively in Block-Mohania, District-Kaimur at Bhabua. The land in question Aam Public Road is encroached by the respondent no. 6.

(ii) For issuance of a writ in the nature of Mandamus or any other appropriate writ, direction to the respondent to start the encroachment case on the



basis of application of petitioner (Annexure-1) dated 26.10.2018 before the Circle Officer, Mohania, Kaimur at Bhabua.”

It is submitted by learned counsel for the petitioner that the petitioner had filed an application on 26.10.2018 before the respondent no. 5 i.e. The Circle Officer, Mohania, Kaimur at Bhabua, for removal of encroachment from the public land, vide Annexure-1 to the present writ application, but no action has been taken on the part of the respondent no. 5 i.e., The Circle Officer, Mohania, Kaimur at Bhabua . The matter is pending till date.

Considering the same, the respondent no. 5 i.e. The Circle Officer, Mohania, Kaimur at Bhabua, is directed to consider the case/application of the petitioner, after hearing all concerned parties, and pass appropriate order/s within a period of three months from the date of receipt/production of copy of this order.

With the aforesaid observations and directions, the present writ application stands disposed of.

(Sudhir Singh, J)

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