

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4736 of 2019

Narayan Mukhiya, Male aged about 58 years, S/o Brijmohan Mukhiya Res. of Vill.- Jhitki Ward no. 13 P.S.- Mahishi Distt.- Saharsa.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Bihar Patna.
2. Principal Secretary Land Reforms Department Bihar Patna.
3. District Magistrate At Saharsa.
4. Superintendent of Police At Saharsa.
5. Sub- Divisional Magistrate Saharsa Distt.- Saharsa.
6. Circle Officer Mahishi Distt.-Saharsa.
7. Officer - in - Charge Mahishi Police Station Distt.- Saharsa.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh
For the Respondent/s : Mr. Ajay (Ga5)

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

2 11-03-2019 Heard the parties.

The petitioner complains of encroachment over a public land bearing Khata No. 255, Plot No. 528 having an area of 1.24 acres under Mauza Jhitki, P.S. Mahishi, in the district of Saharsa.

Mr. Ajay, learned GA-5, invites the attention of this Court to the complaint made by the villagers at Annexure 1 before the Circle Officer, Mahishi and informs that such complaint has led to institution of a proceeding under the Bihar



Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act') giving rise to Encroachment Case No. 1/2016-17. He however submits that he has no instruction as to the stage of the proceedings but submits that the Circle Officer would take appropriate steps in this regard in accordance with law.

In such view of the matter, we do not feel necessity to keep the writ petition pending and would dispose it of with a direction to the Circle Officer, Mahishi (respondent no.6) to consider and dispose of Encroachment Case No. 1/2016-17 in accordance with law and with opportunity of hearing to the complainant as well as the alleged encroachers which disposal, if not already taken place, be carried out within a period of six months from today.

This disposes of the writ petition.

(Jyoti Saran, J)

(Arvind Srivastava, J)

Surendra/-

U			
---	--	--	--

