

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18097 of 2018

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Ashik Hussain Son of Md. Abdullah Resident of Village- Kashi Tengrahi,
Police Station- Mohamedpur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Deputy Collector, Land Reforms, Government.
3. The Circle Officer, Sidhawalia, Gopalganj.
4. The S.H.O. Police Station- Baikunthpur.
5. Md. Anwarullah Son of Gaffur Sai
6. Wajid Ali Son of Md. Anwarullah
7. Wahid Ali Son of Md. Anwarullah Sl. No. 5 to 7 are residents of Village-
Kashi Tengrahi, Police Station- Baikunthpur, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Veerendra Narayan
For the Respondent/s : Mr.Raj Kishore Roy, GP-18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-10-2019 The present writ petition has been filed to direct the

Circle Officer, Sidhawalia, District-Gopalganj to initiate

encroachment proceeding against the respondent nos. 5 to 7 who

have encroached 6 feet wide constructed road of the village by

constructing boundary wall. This Court is of the view that

though the Circle Officer, Sidhawalia, District-Gopalganj has

initiated a Miscellaneous Case No. 4 of 2016-17, however, the

Circle Officer, Sidhawalia, District-Gopalganj is required to

initiate encroachment proceeding under the provisions of the

Bihar Public Land Encroachment Act, 1956.



It is directed accordingly.

This Court further directs that the Circle Officer, Sidhawalia, District-Gopalganj shall initiate the requisite encroachment proceeding within a period of two weeks from the date of receipt/production of a copy of this order with regard to land in question i.e. Mauja-Kashi Tengrahi, Thana No. 371, Khata No. 178, Plot No. 1788 which is stated to have been encroached as also is stated to be a public land. It is further directed that after complying with the provisions of the Bihar Public Land Encroachment Act, 1956, the Circle Officer, Sidhawalia, District-Gopalganj shall conclude the aforesaid encroachment proceeding within a period of six months of initiation thereof.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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