

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3660 of 2019

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Mohd. Shami Ahamad, aged above 53 Years, Male, S/o Md. Merajuddin, R/o
Basantpur Malikan, P.S.- Karja, Distt.- Muzaffarpur.

... .. Petitioner

Versus

1. The State Of Bihar through Principal Secretary, Dept of Revenue and Land Reform, Govt. of Bihar, Patna.
2. The Principal Secretary, Dept of Revenue and Land Reform, Govt. of Bihar, Patna.
3. The Collector-cum-District Magistrate Muzaffarpur.
4. The Sub Divisional Officer (West) Muzaffarpur.
5. The Circle Officer Marban, Distt.- Muzaffarpur.
6. S.H.O. Karja Police Station, Muzaffarpur.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Sanjeev Kumar, Advocate.
For the Respondents : Mr.Subash Chandra Yadav (Gp15)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The present writ application has been filed on behalf of the petitioner for issuance of a writ in the nature of mandamus commanding and directing the respondent authority to remove the encroachment of public land around and near the Mazar situated in Village-Basantpur Malikan in view of direction/resolution contained in Memo No. 1220 dated 04.10.2018, issued under the signature of respondent no. 4, whereby and whereunder vide Item No. 4, it was directed to respondent no. 5 to remove the encroachment within one week



but it has not been done till date.

It is submitted by learned counsel for the petitioner that the respondent no. 4 i.e., The Sub-Divisional Officer (West), Muzaffarpur, had issued a direction on 04.10.2018 in respect of an enquiry to be conducted and thereafter removal of encroachment to be made vide Annexure-2 to the present writ application but after such direction, no steps have been taken on the part of the respondent authority.

Considering the same, the petitioner is directed to file a detailed representation before the respondent no. 3 i.e. The Collector-cum-District Magistrate, Muzaffarpur, within a period of one month from today. The respondent no. 3 i.e., The Collector-cum-District Magistrate, Muzaffarpur, shall consider the representation of the petitioner and pass an appropriate order/direction in respect of encroachment in question, in accordance with law, within a period of three months from the date of filing of such representation.

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

U.K./-

(Sudhir Singh, J)

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