IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1613 of 2019

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Md. Yunus Hawari @ Md. Yunus Nigam @ Md. Yunus Miyan son of Sah Md. Miyan R/o Ward No.20, Bangra Sugauli, P.S.- Sugauli, District- East Champaran

... ... Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Home Department, Government of Bihar, Patna
2. The District Magistrate-cum-Collector, East Champaran
3. The Superintendent of Police, East Champaran
4. The Sub-Divisional Officer, East Champaran
5. The D.C.L.R., East Champaran
6. The Circle Officer, Block- Sugauli, East Champaran
7. The S.H.O. of Sugauli Police Station, District- East Champaran
8. Puran Ansari son of Late Najib Ansari R/o Ward No.20, Bangra Sugauli, P.S.- Sugauli, District- East Champaran
9. Rahim Ansari son of Late Najib Ansari R/o Ward No.20, Bangra Sugauli, P.S.- Sugauli, District- East Champaran

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Krishna Kant Singh
For the Respondent/s : Mr.Partha Sarthi (GA4)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 30-01-2019 Heard the parties.

In the present writ application, the following relief has been sought for on behalf of the petitioner :

> 1. The instant writ application is being filed for directing the concerned respondent authorities to remove the encroachment from the Gairmazarua Aam land situated at village Sugauli, which is being used as Road by the General public and the private respondents have obstructed the same by unloading stone chips and sand and went upon to build a permanent structure on the land in question which will cause great inconvenience and hardship to general public and in spite of several representation being filed by the petitioner and others the

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concerned respondent authorities have sat tight over the matter and have not bothered to institute an encroachment case much less to take any action against the persons who have encroached over the public land.

Considering the relief sought for in the present writ application, the petitioner is directed to file a fresh representation before the Respondent No.6 i.e. The Circle Officer, Block Sugauli, East Champaran within a period of one month from today, giving the details in respect of encroachment made on the public land. The Respondent No.6 i.e. The Circle Officer, Block Sugauli, East Champaran shall consider the representation of the petitioner complying with the provisions of Sections 3, 4 and 5 of the Bihar Public Land Encroachment Act and pass final order in accordance with law within a period of three months from the date of filing of such representation. Before passing the final order, the Respondent No.6 shall ensure that an opportunity of hearing has been given to all the concerned parties.

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

(Sudhir Singh, J)

Narendra/-

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