

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3084 of 2019

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Md. Alamgir S/o Late Md. Dastgir R/O-Village-Jalalpur, P.O.-Mubarakpur,
P.S.-Marhawrrah, Distt.-Siwan

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna
2. The District Magistrate-cum-Collector Saran , Chapra
3. The Additional Collector Saran at Chapra
4. The Sub-Divisional Officer Marhawrrah Sub division, Distt.- Saran
5. The Deputy Collector Land Reforms Marhawrrah , Sub-division, Distt.-Saran
6. The Circle Officer Marhawrrah Circle, At and P.O. and P.S.-Marhawrrah, Distt.-Saran
7. Habibullah S/O-Late Md. Sagir R/O-Village- Jalalpur, P.O.- Mubarakpur, P.S.-Marhawrrah, Distt.- Saran

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. M. N. Parbat, Sr. Adv. Mr. Abhay Kumar Singh, Adv. Mr. Praveen Prabhakar, Adv.
For the Respondent/s	:	Mr. Rishi Raj Sinha (SC 19)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

This writ application has been filed for the following

reliefs:

“(a) To issue a writ of mandamus, commanding the respondents, specially respondent No. 6, to discharge their legal obligation to follow the statutory provisions of Bihar Land Encroachment Act, 1956 for removal of encroachments from public lands in its words and spirit and to initiate Land Encroachment Proceeding at once for removal of encroachments from the public road covered under Khata No. 77, plot no. 325 having areas 15 Katha 7 dhur of village-



*Jalalpur of Marhawrrah Block and to remove
the same in accordance with law.*

*(b) To any other relief or relief for which the
petitioner may be found entitled to”.*

It has been submitted that after measurement by Government Ameen, a report was submitted to this effect that public land, in question, was encroached by some private persons and in consequence thereof, an application was filed on 10-10-2018 before the Circle Officer, Marhawrrah (respondent No. 6) by the petitioner vide Annexure-7 to the application but no action has been taken by the the Circle Officer, Marhawrrah (respondent No. 6) till date.

The Circle Officer, Marhawrrah (respondent No. 6) is directed to consider the application filed by the petitioner and pass an appropriate order in accordance with law after giving opportunity to all the concerned parties within a period of four months from the date of receipt/production of copy of this order.

With the aforesaid observation/direction, this writ application stands disposed of.

(Sudhir Singh, J)

A.K.V.//-

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