

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2744 of 2019

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Vasukinath Chaube, aged about 87 Years (Male), S/o- Late Sukhanandan Chaube, R/o- Village- Mahuari, P.S.-Ramgarh, Dist-Kaimur at Bhabua.

... .. Petitioner

Versus

1. The State of Bihar through Collector, Kaimur at Bhabua.
2. The Sub- Divisional Magistrate, Kaimur at Bhabua.
3. The Circle Officer, Ramgarh, Dist- Kaimur at Bhabua.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Ashutosh Tripathy, Advocate.
For the Respondents : Mr.Subash Chandra Yadav, G.P. 15.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2019 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 an appropriate writ/order/direction to respondents for removing the encroachment from Government land (Road) running over Thana No. 378, Khata Nos. 180, 179, Plot Nos. 120, 315, 171, 169, 172, Area 2.20, 07, 10, 08, 20 Decimals in Village- Mahuari, P.S. Ramgarh, District-Kaimur at Bhabua, which has been recorded as Bihar Sarkar Parti in consolidation Khatiyani and also for issuance of an appropriate writ/order/direction upon the official respondent to take immediate steps for removing encroachment in Encroachment Case No. 9/16-17 under Bihar Public Land Encroachment Act.



It is submitted by learned counsel for the petitioner that on the basis of an application made by the petitioner and others before the respondent no. 3 i.e., The Circle Officer, Ramgarh, District-Kaimur at Bhabua vide Annexure-1 to the present writ application, Encroachment Case No. 9/16-17 was initiated and the said Encroachment Case No. 9/16-17 is pending till date. No final order has been passed under Section 6 of the Bihar Public Land Encroachment Act.

The respondent no. 3 i.e. The Circle Officer, Ramgarh, District-Kaimur at Bhabua, is directed to conclude the proceeding after complying with the provisions under Sections 3, 4 and 5 of the Bihar Public Land Encroachment Act within a period of three months from the date of receipt/production of copy of this order. The respondent-authority shall be obliged to give an opportunity of hearing to all concern parties and thereafter pass a final order in accordance with law under Section 6 of the Bihar Public Land Encroachment Act.

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

U.K./-

(Sudhir Singh, J)

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