

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4622 of 2019

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Awadhesh Rai Son of Punit Rai Resident of Brindawan Tola, Parsouni, Police Station-Kalyanpur, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, East Champaran.
2. The Sub-divisional Magistrate, Chakiya, East Champaran
3. The Block Development Officer, Kalyanpur, East Champaran.
4. The Circle Officer, East Champaran.
5. Kishun Sah, Son of Baran Sah Resident of Village-Brindawan Tola, Parsouni, Police Station-Kalyanpur District-East Champaran.
6. Bishun Sah, Son of Baran Sah Resident of Village-Brindawan Tola, Parsouni, Police Station-Kalyanpur District-East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon
For the Respondent/s : Mr. Mukul Prasad, A.C. to G.P. 18

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2019 Heard the parties.

The petitioner has filed the present writ application for quashing of the order dated 16.11.2018 in Encroachment Case No. 9/2015-16 passed by the Collector by which direction was given to respondent Circle Officer to measure the land bearing Khesra No. 4428 afresh in his presence and remove the encroachment after issuance of notices to the encroachers.

In course of argument, the petitioner wants to confine his relief to the extent that in pursuance of the order dated 16.11.2018 passed in Encroachment Case No. 9/2015-16 by the



Collector, East Champaran (respondent no. 1), the Circle Officer (respondent no. 4) be directed to comply with the said order and conclude the proceeding within a stipulated period of time.

Considering the submissions made on behalf of the petitioner, the Circle Officer, Kalyanpur, East Champaran (respondent no. 4) is directed to comply with the order of the Collector, East Champaran (respondent no. 1) and conclude the encroachment proceeding within a period of six months from the date of receipt/production of a copy of this order after complying with the provisions as laid down under sections 3, 4 and 5 of the Bihar Public Land Encroachment Act. The respondent no. 4 shall ensure that the opportunity of hearing is given to all the concerned parties before passing the final order under section 6 of the Act.

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

(Sudhir Singh, J)

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