

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5889 of 2019**

Uma Shankar Ray S/o Late Ram Sagar Ray Vill.- Shahjahanpur Desri, P.s.-  
Bhibhutipur, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Patna
2. The District Magistrate Samastipur
3. The Sub-Divisional Officer Rosera, Samastipur
4. The Circle Officer Bihutipur, Samastipur
5. The Executive Engineer, Rural Works Department, Dalsinghsarai, Samastipur

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar Singh  
For the Respondent/s : Mr.Sajid Salim Khan (SC 25)

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      28-03-2019                      Heard learned counsel for the petitioner and the State.

In the present writ application, the petitioner has prayed for issuance of a writ in the nature of mandamus seeking direction to the respondent-authorities to remove the encroachment from the public road on the land bearing Khata No. 627, Khesera No. 2201, Thana No. 17, Mauza Desri after demarcation of Public Land taking Encroachment Case No. 07/2018-19 to its logical conclusion and till such demarcation of public land, to stop construction of road on private land of petitioner.

It has been submitted that a proceeding was initiated



for removal of the encroachment vide Encroachment Case No. 07/2018-19. The said encroachment proceeding is pending till date before the Sub Divisional Officer, Rosera Samastipur (respondent No. 4).

The Sub Divisional Officer, Rosera Samastipur (respondent No. 4) is directed to conclude the said encroachment proceeding after complying the provisions as laid down under Sections 3, 4 & 5 the Bihar Public Land Encroachment Act, 1956 and pass final order u/S 6 of the Act within a period of three 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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