

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6358 of 2019

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Alok Kumar Pathak S/o Sri Umesh Shankar Pathak R/o Village and P.O.-
Malipur, P.S. Garhpura, District-Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
2. The District Magistrate Begusarai
3. The Circle Officer, Gadhpura Begusarai
4. Vimal Mahto S/o Rajendra Mahto @ Arjun Mahto R/o Village-Malipur, P.S. Gadhpura, District-Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy
For the Respondent/s : Mr. Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-04-2019 Heard the parties.

In the present writ application, the petitioner has prayed for issuance of writ in the nature of mandamus directing the respondents to take steps under the Bihar Public Land Encroachment Act by initiating a proceeding against the private respondent, who has made an encroachment over the public land. The petitioner has further prayed for direction to the respondents to remove the encroachment made over the public land which is existing from the house of Arjun Mahto to Pathak Tola, which brick soling work has been made under the Scheme No.22/93-94.

The petitioner has filed an application vide Annexure 1



to the present writ application for removal of encroachment made on the public road by Respondent No.4. The said application is pending before the Respondent No.3 i.e. The Circle Officer, Gadhpora, Begusarai.

Considering the aforesaid facts, the Respondent No.3 i.e. The Circle Officer, Gadhpora, Begusarai is directed to dispose of the said application filed on behalf of the petitioner within a period of five months from the date of receipt/production of this order. The Respondent No.3 before passing the final order shall comply with the provisions as laid down under Sections 3, 4 and 5 of the Act. Opportunity of hearing shall be given to all concerned parties before passing a final order under Section 6 of the Act.

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

(Sudhir Singh, J)

Narendra/-

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