

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8456 of 2019

Kalavatikunwar @ Kalawati Devi, Wife of Late Bachan Ray, Resident of Village/Tola- Jalpurawa, Mauja- Sarari, P.O.- Mustafabad, Mauja- Sarari, P.O.- Mustafabad, P.S. and Anchal- Goreyakothi, Sub-division- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector-cum-District- Magistrate, Siwan.
2. The Collector-cum-District- Magistrate, Siwan.
3. The Sub-Divisional Officer-Maharajganj District- Siwan.
4. The Circle Officer-Anchal- Goreyakothi, District- Siwan.
5. Harishankar Yadav, Resident of Village/Tola- JalpurawaMauja- Sarari, P.O. and Anchal- Goreyakothi, Sub-Division- Maharajganj, District- Siwan.
6. Harinandanyadav Resident of Village/Tola- JalpurawaMauja- Sarari, P.O. and Anchal- Goreyakothi, Sub-Division- Maharajganj, District- Siwan.
7. Raghunandanyadav Resident of Village/Tola- JalpurawaMauja- Sarari, P.O. and Anchal- Goreyakothi, Sub-Division- Maharajganj, District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Advocate
		Mr. Raju Prasad, Advocate
For the Respondent/s	:	Mr. Ramesh Kumar Singh, AC to GP-15

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The grievance of the petitioner in the instant case is inaction on the part of the Circle Officer that despite representation filed by the petitioner for removal of encroachment over the public land no action has been taken.

Learned counsel for the petitioner submits that the land in question is mentioned in Khatian as Anawad Sarva Sadharan & Rasta and the private respondents have made



encroachment over the said land. He submits that the petitioner has represented before the Circle Officer for removal of the encroachment but the same has not been addressed as yet by the Circle Officer.

Under the aforesaid circumstances, the present writ petition is disposed of with liberty to the petitioner to file proper petition for initiating proceeding for removal of encroachment under the Bihar Public Land Encroachment Act. In the event such application is filed by the petitioner along with a copy of the order, the Circle Officer, Goreyakothi, District- Siwan shall take appropriate decision on the application filed by the petitioner and after hearing the parties likely to be adversely affected by such adjudication, the Circle Officer shall determine whether there is encroachment over the public land and if there be so, he shall take steps for removal of the encroachment expeditiously preferably within a period of six months from the date of filing of the application along with a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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