

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10124 of 2019

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Dev Narayan Thakur(M), aged about-61 yrs. Son of Jagdev Thakur, resident of village-Malipur, Ward No.15, P.S.-Sitamarhi, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, General Administrative Department Bihar, Patna
2. The District Magistrate, Sitamarhi.
3. The Addl. Collector, Sitamarhi
4. The Sub-Divisional Officer, Pupri, Sitamarhi
5. The Collector, Public claim redressal officer, Sitamarhi cum-IIInd, Appellate authorities, Sitamarhi.
6. The Additional Collector (Public claim Redressal officer, Sitamarhi), cum-1st, Appellate Authorities Office, Sitamarhi.
7. The Circle Officer, Sitamarhi.
8. The Sub-divisional Officer, Public claim redressal officer, Sitamarhi
9. Manohar Kumar Sharma, (58) aged about- Yrs, S/o late Ram Naresh Kishore Sharma, resident of village-malipur, Ward No.15 P.S.-Sitamarhi, District-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Respondent/s : Mr.Sheo Shankar Prasad (Sc8)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-05-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

From the material and the letter enclosed alongwith the writ application, it appears that prayer was made by the petitioner for registration of regular case for removal of encroachment under the Bihar Public Land Encroachment Act but the Circle Officer, Sitamarhi has not registered the case for removal of encroachment. If there exist encroachment over the public land, it is solemn duty of the authorities under the Bihar



Public Land Encroachment to pass appropriate order for removal of encroachment over the public land after opportunity of hearing to the alleged encroacher.

Since the Circle Officer, Sitamarhi has not registered a regular case for removal of encroachment, the Circle Officer is directed to register a regular case for removal of encroachment and after hearing the encroacher he shall pass appropriate order for removal of encroachment, if any.

Necessary decision in the matter of removal of encroachment over the public land may be taken within a period of six months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/Mukesh

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