

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8098 of 2017

Prayag Sah Son of late Ram Bilas Sah Resident of Village Konar, P.S. Shivsagar, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate cum Collector, Rohtas at Sasaram.
3. The Superintendent of Police, Rohtas at Sasaram.
4. The Sub -Divisional Officer, Sasaram District Rohtas.
5. The Circle Officer Circle Shivsagar District Rohtas at Sasaram.
6. Aasharfi Singh
7. Mundrika Singh Yadav
8. Motilal Singh Yadav Sons of Sri Sukh Nandan Singh
9. Sri Niwas Singh Yadav Son of late Ram Dhani Singh Yadav All belongs to Village- Konar, P.S. Shivsagar, District Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Raghunandan Kumar Singh
For the Respondent/s	:	Mr.R.K. Roy, GP-18
		Mr. Abhay Kumar Kashyap, AC to GP-18
For the private respondents:		Mr. Jai Prakash Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 14-11-2019 The present writ petition has been filed to remove the encroachment made by the private respondents over Khata No. 419, Plot No. 2164, admeasuring 0.3 decimals situated at Mauja-Konar, Anchal-Shivsagar, District-Rohtas.

The learned counsel appearing for the private respondents, by referring to the counter affidavit filed in the present case has submitted that the private respondents are landless poor persons and are in possession of the land since a



long time and they have demanded for settlement of the same as well as they are in the process of obtaining *parcha*.

Per contra, the learned counsel for the petitioner has submitted that despite the order of this Court dated 06.07.2017 directing the Circle Officer, Shivsagar to ensure that no further encroachment should take place on the land in question and status quo existing as on that date should be maintained, the said directions have not been complied with and further encroachments have cropped up.

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Shivsagar, District-Rohtas to take appropriate steps under the provisions of the Bihar Public Land Encroachment Act, 1956 and after grant of opportunity to the encroachers to file their objections, pass orders under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 and remove the encroachments made over the land in question forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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