

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9602 of 2019

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Rajwansh Singh S/o Ram Janam Singh Resident of Mohalla- Ward No. 22,
Bhabua, P.s.- Bhabua, Distt. - Kaimur at Bhabua, At present Vill.- Rampur,
P.s.- Bhabua, Distt.- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land and Revenue Department, Patna, Bihar
2. The District Magistrate-cum-Collector Kaimur at Bhabua
3. The Circle Officer Bhabua, Kaimur at Bhabua
4. The Officer-in-Charge Bhabua Police Station, Bhabua

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is aggrieved by the inaction on the part of
official of the State in the matter of removal of encroachment
over public land.

Learned counsel for the petitioner submits that with
reference to Annexure-1 that Sub Divisional Officer, Bhabhua
has directed the Circle Officer Bhabhua for removal of
encroachment. He submits that petitioner has also requested the
Circle Officer Bhabhua, Kaimur but till date the Circle Officer
Bhabhua, Kaimur has not registered the case under the Bihar
Public Land Encroachment Act.



In view of the above, petitioner is granted liberty to file application before Circle Officer Bhabhua for registering regular encroachment case.

In the event petitioner files application before the Circle Officer Bhabhua, Kaimur, the Circle Officer, Bhabhua, Kaimur is required to register regular case for removal of encroachment and after hearing the parties, necessary decision with regard to removal of encroachment may be passed after deciding whether the land in question is private land or public land? The Circle Officer Bhabhua, Kaimur shall finally decide the entire issue within a maximum period of six months from the date of receipt/production of a copy of this order after hearing the encroachers.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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