

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10683 of 2019**

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Ramesh Prasad son of Late Sita Ram Prasad Resident of Village Sakla, P.S.  
Sidhwalia, District Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Collector-cum- District Magistrate, Gopalganj.
3. The Additional Collector, Gopalganj.
4. The D.C.L.R. Gopalganj.
5. The Sub- Divisional Officer, Gopalganj.
6. The Circle Officer, Sidhwalia, District- Gopalganj.
7. Dovaddin Mian son of Late Phul Mohammad resident of Village Sakla, P.S.  
Sidhwalia, District Gopalganj.
8. Monaf Mian son of Late Phul Mohammad resident of Village Sakla, P.S.  
Sidhwalia, District Gopalganj.
9. Ali Hasan Mian son of Late Rahmat Mian resident of Village Sakla, P.S.  
Sidhwalia, District Gopalganj.
10. Ahahar Mian son of Ali Hasan Mian resident of Village Sakla, P.S.  
Sidhwalia, District Gopalganj.
11. Ash Mohammad @ Noor Mohammad Mian son of Late Rahmat Mian  
resident of Village Sakla, P.S. Sidhwalia, District Gopalganj.
12. Jahir Mian son of Ash Mohammad Mian resident of Village Sakla, P.S.  
Sidhwalia, District Gopalganj.
13. Sagir Mian son of Ash Mohammad Mian resident of Village Sakla, P.S.  
Sidhwalia, District Gopalganj.
14. Mantaj Mian son of Late Sadik Mian resident of Village Sakla, P.S.  
Sidhwalia, District Gopalganj.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Naresh Prasad  
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      10-05-2019                      Heard learned counsel for the petitioner and the  
  
counsel appearing on behalf of the State.

Learned counsel for the petitioner submits with  
  
reference to counter affidavit that the encroachment over the



public land is admitted but no action was taken by the respondents for removal of encroachment over the public land.

Learned counsel for the petitioner admits that no regular case for removal of encroachment under the Bihar Public Land Encroachment Act have been registered.

Considering the aforesaid, the writ application is disposed of with liberty to the petitioner to approach the Circle Officer Sidhwalia, Gopalganj for registration of regular case under the Bihar Public Land Encroachment Act.

In the event petitioner files application before the Circle Officer Sidhwalia, Gopalganj, the Circle Officer, Sidhwalia, Gopalganj 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 Sidhwalia, Gopalganj shall finally decide the entire issue within a maximum period of four months from the date of receipt/production of a copy of this order.

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

**(Anil Kumar Upadhyay, J)**

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