

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11497 of 2019

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Shiv Muni Rai, Son of Late Mahatam Rai, Resident of Village and P.O.-
Taraon, P.S.- Nasriganj, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate Rohtas.
3. The Sub Divisional Magistrate, Bikramganj, District- Rohtas.
4. The Deputy Collector Land Reform (DCLR), Bikramganj, District- Rohtas.
5. The Circle Officer, Nasriganj, District- Rohtas.
6. The Station House Officer, P.S.- Nasriganj, district- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ram Shankar Pradhan, Sr. Adv. with Mr. Amrendra Narayan Rai, Adv.
For the Respondent/s	:	Mr. Ajay, GA-5

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 18-07-2019

Heard Mr. Ram Shankar Pradhan, learned senior counsel
appearing for the petitioner and Mr. Ajay, learned Government
Advocate No.5 for the State.

The petitioner is aggrieved because according to him
there is encroachment on a public land bearing Khata No.448, Plot
Nos.447, 1325 and 1540 together constituting an area of 4.49 acres
in Mauza- Mauna, P.S. Nasriganj in the district of Rohtas.



According to Mr. Pradhan, learned senior counsel appearing for the petitioner, the nature of the public land is Ahar/Pond and which is being used for various agricultural and other purposes by the local residents but is sought to be encroached by the anti-social elements. In reference to various representations that the petitioner has filed before the different authorities as well as the police official he submits that when no step has been taken to entertain the grievance that the petitioner is before this Court.

Mr. Ajay, learned Government Advocate no.5 on instruction submits that the encroachment case has already been drawn by Circle Officer, Nasriganj taking note of the grievance raised giving rise to Encroachment Case No.1 of 2015-16. On instruction he further informs that the encroachment was earlier removed but on gathering notice that encroachment had again returned that a fresh proceeding has been initiated.

In such view of the matter and since the concerned authority under Bihar Public Land Encroachment Act, 1956 i.e. the Circle Officer, Nasriganj has already taken notice of grievance to initiate action, for the present we would advise the Circle Officer, Nasriganj to take the matter to its conclusion expeditiously and preferably within three months from today.



Since an encroachment case has already been registered, the petitioner, if so advised, can assist the authority in expeditious disposal of the proceedings.

With the observation and liberty above we dispose of the writ petition.

(Jyoti Saran, J)

(Partha Sarthy, J)

skpathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

