

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11095 of 2015

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Ram Udgar Sah son of late Lakhan Sahu Resident of village Lakhmniya Ber,
P.S. Kusheshwar Asthan Dist Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate cum Collector, Darbhanga.
3. The Sub-Divisional Officer, Biraul, P.S. Biraul, District Darbhanga.
4. The Circle Officer, Kusheshwar Asthan at Satighat, P.S. Kusheshwar Asthan,
District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jagdish Prasad Singh
For the Respondent/s	:	Mr. Sunil Kr. Mandal, SC-3
		Mr. Ravi Ranjan Kumar Singh, AC to SC-3
		Mr. Arjun Prasad, AC to SC-3
		Mr. Bipin Kumar, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 29-04-2019 Heard learned counsel for the parties.

The grievance of the petitioner in the present proceeding is the reluctance on the part of the respondents. Referring to the counter affidavit, learned counsel for the petitioner, submits that in the counter affidavit a stand was taken that the respondent after removing the encroachment over the public land within a period of three months will file a detail counter affidavit.

Learned counsel for the petitioner, submits that unfortunately even after expiry of approximately one year and nine months, the respondents have not filed a detailed counter



affidavit indicating therein that encroachment has been removed.

Considering the aforesaid, this writ application is disposed of with a direction to the respondent no. 4, Circle Officer, Kusheshwar Asthan at Satighat, Darbhanga, to ensure the removal of encroachment in terms of the stand taken in the counter affidavit within a period of one month after general election. In the event there is any delay on the part of the respondents, the Court shall view it seriously.

(Anil Kumar Upadhyay, J)

Ashish/-

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