

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14347 of 2019

Radha Mohan Yadav @ Radha Mohan Gop S/o Bhikhari Yadav, R/o Post Kanjharua, (Dumraon) Buxar, P.S. Kandricha, Bihar, 802126.

... .. Petitioner/s

Versus

1. The State of Bihar,
 2. The District Magistrate, Buxar, District Buxar, Bihar.
 3. The Sub-Division Officer, Dumraon, District- Buxar, Bihar.
 4. The Circle Officer, Dumraon, District- Buxar, Bihar.
 5. Public Grievance Redress Cell Authority, Dumraon, District- Buxar, Bihar.
 6. Hari Nath Yadav, S/o Late Shivnath Yadav
 7. Hari Narayan Yadav, S/o Late Shivparas Yadav
 8. Ram Narayan Yadav S/o Late Bhikhari Yadav
 9. Jagnarayan Yadav Son of Late Dhanraj Yadav
 10. Jamuna Yadav son of Haridas Yadav
 11. Laxman Yadav, S/o Late Bhikhari Yadav
 12. Butan Yadav, S/o Siddhin Yadav
- All are residents of village-Kanjharua, P.O.-Kanjharua, P.S.-Koran Sarai, District-Buxar, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	M/s Ashutosh Nath and Binod Kumar, Advs.
For the Respondent/s	:	Mr.Md.Khurshid Alam (AAG 12)
		Mr. Asif Kalim, AC to AAG 12

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

2 22-08-2019 Heard learned counsel for the petitioner and the learned counsel for the State.

In this case, the petitioner is claiming that Respondent nos. 6 to 12 have unauthorizedly encroached upon the public land appertaining to Khata no.162, Khesra no.352 at



village Kanjharua, PS-Koran Sarai, District-Buxar, State-Bihar.

It has been stated that on account of illegal encroachment, the road has been narrowed down and it is very difficult for the public in general to move on the road and on that account, whenever the people of the locality raises grievance, private respondents come out with muscle power and create chaos in the area.

From the pleadings, it appears that the Circle Officer, Dumraon, had issued notice on 14.06.2015 giving direction to the encroachers to remove the encroachment within ten days, otherwise proper action will be taken against them, but nothing has happened till today.

The counsel for petitioner submits that the position is same and on that account, the public of the locality are facing great inconvenience in their movement on the road.

This Court directs that the Circle Officer, Dumraon, will initiate a fresh proceeding under the Bihar Public Land Encroachment Act, 1958 and after giving notice to all the parties and hearing them, will pass a reasoned order for removal of encroachment and within 30 days from the date of the order, the order should be carried out and illegal encroachment should be removed from the encroacher and the action report should be



submitted to this Court thereafter.

With the above direction, this petition is disposed of.

(Shivaji Pandey, J)

(Partha Sarthy, J)

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