

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14495 of 2019

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Md. Jawed Hussain Son of Md. Kalamuddin @ Shaikh Kalamuddin, Resident of Village- Saunt, P.O.- Chhaurahi, P.S. Khodawandpur (O.P. - Chhaurahi) District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Revenue Land Reforms Department, Bihar, Patna.
3. The District Magistrate, Begusarai.
4. The Deputy Collector Land Reforms, Manjhaul, Begusarai,
5. The Circle Officer, Chhaurahi, Begusarai.
6. The Officer In-charge, Khodawanpur (O.P. Chhaurahi), Begusarai.
7. Tauhid Sah, Son of Yunus Sah, Resident of Village- Saunt, P.O.- Chhaurahi, P.S. Khodawandpur (O.P.- Chhaurahi), District - Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Hussamuddin Azad, Adv.
For the Respondent/s	:	Mr.Md.Khurshid Alam, AAG 12
		Mr. Asif Kalim, AC to AAG 12

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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.

2. In this case, the petitioner is submitting that Respondent no. 7 has illegally encroached upon the public land appertaining to Thana-57, Khata no.388, Khesra no. 2622 at Mauza Saunt, Circle Chhaurahi, District-Begusarai.

3. From the record it appears that the Deputy Collector Land Reforms, Manjhaul, vide order dated 18.10.2016



(Annexure-7), has recorded illegal encroachment and given direction for removal of the encroachment from the land appertaining to Khata no.388, Thana no. 57, Khesra no. 2622, Tauji no. 1070, Area 10 dhur, but the order has not been carried out and whereafter the petitioner has filed an application before the Circle Officer, Chhaurahi to take necessary action for removal of the illegal encroachment made by the private respondent, but no action has been taken.

4. Let the Circle Officer issue notice to the concerned person, start a proper proceeding under the Bihar Public Land Encroachment Act and after hearing both parties, pass a reasoned order. While passing order, if it is found that the private respondent has encroached upon the public land, the encroachment should be removed and the action report should be submitted to this Court.

5. With the aforesaid direction, this application is disposed of.

(Shivaji Pandey, J)

(Partha Sarthy, J)

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