

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17458 of 2018

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Bimlesh Kumar Singh, S/o Late Sahadeo Singh, Resident of Village- Rampur,
P.S.- Jamhor, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Revenue Department,
Govt. of Bihar, Patna.
2. The Collector, Aurangabad, District- Aurangabad.
3. The District Collector, Land Reforms, District- Aurangabad.
4. The Subdivision Officer, Aurangabad, District- Aurangabad.
5. The Circle Officer, Circle Aurangabad, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ramchandra Singh
For the Respondent/s : Mr.Md. Khurshid Alam - Aag12

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 08-01-2019 Heard learned counsel for the petitioner and learned counsel for
the State are present.

Following relief has been sought for in paragraph 1 of the
present writ application on behalf of the petitioner:

“That this application is being filed for a direction to the
respondent to remove the encroachment over the Gairmajarua Aam
Road, Tal, Chhawar reaming over the gairmajarua Aam lands situated
in Mauja Rampur, Thana No. 270, appertaining Khata No. 67, Plot
Nos. 484, 8548, 547, 483, 692, 691, 693 due to which the general
people of locality are facing actual difficulty in coming and going by
way of water-logging etc to the villagers”.

The petitioner has filed a complaint vide Annexure-1 to the writ
application before the Circle Officer, Aurangabad (respondent no. 5)



in respect of the encroachment upon the land as referred above. Subsequently, vide Annexure-2 to the present application, again an application/complaint was made. In spite of that, no action was taken and no encroachment case was drawn against the encroachers in respect of the public land as referred above. Ultimately, the petitioner sought for an information under Right to Information Act. The Circle Officer vide Annexure-5 has admitted that there is encroachment in respect to the lands mentioned above.

In the aforesaid facts and circumstances of the case, the respondent no. 5 (the Circle Officer, Aurangabad) is directed to examine the complaint made on behalf of the petitioner after complying the provisions made under Sections 3, 4 and 5 of the Bihar Public Land Encroachment Act and pass an appropriate order in accordance with law after providing adequate opportunity of hearing to all the concerned parties within a period of three months from the date of receipt/production of a copy of this order.

With the aforesaid observation/direction, the present writ application stands disposed of.

(Sudhir Singh, J)

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