

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17117 of 2019

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Kanhaiya Kumar, aged about 38 years (M), Son of Mohan Lal Sharraf,
Residing at Sugauli Bazar, Ward No. 07, P.S. Sugauli, District- East
Champaran.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms
Department Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of
Bihar, Patna.
3. The District Magistrate, Motihari, District- East Champaran, Motihari.
4. The Sub Divisional Officer, Motihari, District- East Champaran, Motihari.
5. The Circle Officer, Sugauli, District- East Champaran, Motihari.
6. Sri Braj Kishor Sah, aged about 22 years (M), Son of Bhikhari Sah, Resident
at Sugauli Bazar, Ward No. 7, P.S. Sugauli, District- East Champaran,
Motihari.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Sharda Nand Mishra, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha, SC-19
		Mr. Akhilesh Kumar Sinha, A.C. to S.C.-19

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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 26-08-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the people of the locality has made a
complaint that respondent no.6, namely, Braj Kishor Sah, has
encroached upon the public land, which is meant for the public
road, thereby causing inconvenience to the people of the



locality. In this regard, the people in general has filed a complaint petition before the Circle Officer, Sugauli, East Champaran, Motihari, bringing all the facts to the notice of the Circle Officer, but till date no action has been taken against respondent no.6.

This Court directs the Circle Officer, Sugauli, East Champaran, Motihari, to take cognizance of the complaint made by the petitioner and others, initiate a proceeding under the Bihar Public Land Encroachment Act, after giving notice to the respondent no.6, if it is found that the respondent no.6, in reality, has encroached upon the land, that portion of the encroachment will be removed by the authority and the action report should be submitted before this Court. All the exercise should be completed within a period of six months from the date of receipt/production of a copy of this order.

With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

(Partha Sarthy, J)

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