

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22500 of 2018

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Diwakar Varma Son of Sri Keshav Lal Verma Resident of Village- Bhusai,
P.O.+P.S. Rajoun, District- Banka. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The District Magistrate/Collector, Banka.
4. The Sub Divisional Office, Banka.
5. The Circle Officer Officer, Rajoun, District- Banka.
6. Ganesh Harijan, Son of late Mahadev Harijan
7. Raju Harijan Son of late Mahadev Harijan
8. Dilip Harijan Son of Sanchu Harijan
9. Geeta Devi Wife of Ranjit Harijan
10. Shankar Harijan Son of Sanchu Harijan
11. Anil Harijan Son of late Mahadev Harijan
12. Dinesh Harijan Wife of late Mahadev Harijan
13. Genu Harijan Son of late Mahadev Harijan

All are Resident of Village- Bhusai, P.O.+P.S. Rajoun, District- Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Dhananjay Kumar Gupta
For the Respondent/s	:	Mr.Md. Khurshid Alam- Aag12

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-01-2019 Heard the parties.

Counsel for the petitioner is permitted to make necessary correction in paragraph nos. 1 and 2(i) of the writ application in course of the day.

Following relief has been sought for in paragraph no. 1 of the present application on behalf of the petitioner:

“That this writ application is being filed for issuance of a writ in the nature of mandamus for direction to respondents to remove the encroachment of the land bearing Thana No. 573, Khata No. 250, Khesra No. 388, Area 2.80 which is Aam Rasta (sadak) which has



been encroached by the local public for which petitioner filed application before the respondents but same has not been considered as yet and further issued direction to the respondent to remove the encroachment from the encroachers who have illegally encroached the rasta of the petitioner and further give other legal consequential benefit to the petitioner.”

Counsel for the petitioner submits that the petitioner has filed an application vide Annexure-3 to the present application dated 24.09.2018 before the Circle Officer, Rajoun, District- Banka (respondent No. 5) in respect of the encroachment made on the public land by the respondent nos. 6 to 13. But no action, till date, has been taken on the part of respondent no. 5.

The respondent no. 5 (the Circle Officer, Rajoun, District- Banka) is directed to dispose of the application dated 24.09.2018 made by the petitioner in accordance with law within a period of three months from the date of receipt/production of a copy of this order in accordance with the provisions of the Bihar Public Land Encroachment Act.

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

(Sudhir Singh, J)

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