

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.652 of 2019

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Shivji Mishra S/o Paramhansh Mishra, R/o Village- Bhalua Khurd, PS-
Majhauli, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Saran.
3. The Sub Divisional Officer Majhi, District- Saran.
4. The Circle Officer, Majhi, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Chandra Kant
For the Respondent/s	:	Mr.Rishi Raj Sinha- Sc19

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 29-04-2019 In the instant case, the petitioner is aggrieved by the
arbitrary action of the respondents.

Learned counsel submits that respondents ought to
have done measurement and only after measurement, if any
encroachment is found the respondents are justified in passing
the order but in the instant case without any measurement and
without opportunity of hearing the order of removal of
encroachment was passed.

Considering the stage of proceeding, the writ petition
is disposed of with liberty to the petitioner to file exhaustive
show cause indicating therein that there is no encroachment by
the petitioner and if such explanation is submitted by the



petitioner, it shall be obligation of Anchal Adhikari, Saran to cause measurement and if it is found after measurement that encroachment has been done by the petitioner, the petitioner may be asked to remove the encroachment.

Necessary decision as to removal of encroachment may be done after hearing the petitioner within a period of sixty days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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