

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20602 of 2014

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Md Kalim Gaddi S/o Md. Ashgar Gaddi resident of village - Nautanba
Pachamba, P.S. Shikarpur, District - West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Department of Revenue and Land Reforms, Govt. of Bihar,
Old Secretariat, Patna
3. The Principal Secretary, Rural Development Department, Govt. of Bihar,
Patna - 1
4. The Director, Rural Development Department, Govt. of Bihar, Patna - 1
5. The Collector, West Champaran at Bettiah
6. The Sub-Divisional Officer, Narkatiyaganj Anchal, District - West
Champaran
7. The Circle Officer, Narkatiyaganj Anchal, District - West Champaran
8. The Block Development Officer, Narkatiyaganj Anchal, District - West
Champaran
9. Jajul Gaddi son of Late Daroga Gaddi
10. Ali Mohammad Gaddi son of Late Ishar Gaddi
11. Firoj Alam Gaddi son of Ali Mohammad Gaddi
12. Jilani Gaddi son of Late Bahadur Gaddi
13. Yunush Gaddi son of Late Bahadur Gaddi
14. Abbas Gaddi son of Ali Hasan Gaddi
15. Neshar Gaddi son of Ali Hasan Gaddi
16. Nurain Gaddi son of Ali Mohammad Gaddi The Respondent No. 9 to 16 are
the residents of village - Nautanba Pachamba, Post - Maniyari, P.S.
Shikarpur, Anchal - Narkatiyaganj, District - West Champaran

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 17830 of 2016

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Munna Gaddi and Ors

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 20602 of 2014)



For the Petitioner/s : Mr.Chandra Mauli Chaurasia
For the Respondent/s : Mr.Aag13-A.K.Chaudhary
(In Civil Writ Jurisdiction Case No. 17830 of 2016)
For the Petitioner/s : Mr.Mritunjay Kumar
For the Respondent/s : Mr.Subhash Chandra Yadav, GP-15

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

9 21-11-2019 First case has been filed for directing the respondent authorities to remove the illegal encroachment made by the private respondents over Khesra No. 917 appertaining to Khata No. 186 which is a Gair Majarua Aam land situated at Mauza-Nautanwa Pachamba, P.S. Shikarpur, Anchal-Narkatiyaganj, District-West Champaran.

The second writ petition has been primarily filed by the private respondents of the first writ petition challenging the order passed by the Circle Officer. However, the learned counsel for the petitioners of the second case submits that they have filed an appeal before the District Collector, West Champaran.

At this juncture, the learned counsel appearing for the respondent State submits that most of the illegal encroachments have been removed, however, the learned counsel appearing in the first case disputes the said position existing as on facts.

It appears that it might be possible that the encroachments made by the private respondents in the first case



may not have been removed in view of the pendency of the appeal by the said private respondents of the first case who happen to be the petitioners in the second case.

I deem it fit and proper to dispose of the present writ petition with a direction to the District Collector, West Champaran to dispose off the appeal, if any, filed by the petitioners of the second case within a period of four weeks from today and thereafter take appropriate action in accordance with law and in case it is found that illegal encroachment is still existing on the public land, the same be removed forthwith.

The writ petitions stand disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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