

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5786 of 2018

Chandan Kumar Yadav Son of Mohan Ray, Resident of Village-Dhanauti, P.S. Panapur, District Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Department of Home, Government of Bihar, Patna.
3. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
4. The Collector-Cuim-District Magistrate, Saran at Chapra.
5. The Superintendent of Police, Saran at Chapra.
6. The Sub-Divisional Magistrate, Marhaurah, Saran.
7. The Deputy Collector Land Reforms, Marhaurah, Saran.
8. The Sub-Divisional Police Officer, Marhaurah, Saran.
9. The Circle Officer, Panapur, Saran.
10. The Block Development officer, Panapur, Saran.
11. The Circle Inspector, Panapur, Saran.
12. Sri Rajdeo Ram, the Block Agriculture Officer, Panapur, Saran Deployed as Magistrate.
13. The Station House-Officer, P.S. Panapur, Saran
14. The Sri Kedar rai, Son of Heera rai,
15. Sri Hari Rai, Son of Heera Rai
16. Sri Binod Rai, Son of Heera rai.
17. Sri Batam Rai Son of late Banaras Rai. Respondents no. 14 to 17 are Resident of Village-Dhanauti, P.S. Panapur, District Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Respondent/s : Mr.Md. Khurshid Alam -Aag12

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 19-07-2019

Heard Mr. Jitendra Narayan, learned counsel
appearing for the petitioner and Mr. Majid Mahboob Khan,



learned AC to AAG-12 for the State.

Mr. Md. Majid Mahboob Khan, learned AC to AAG-12 in reference to the counter affidavit submits that bearing note of the encroachment/complaint that Encroachment Case No. 05 of 2016-17 has been initiated and orders were passed for removal of encroachment and action taken but facing adverse situation that the authorities had to return back. Such is the statement made in para-7 of the counter affidavit.

It is further mentioned that request was made to the Sub-divisional Officer, Marhourah, Saran for providing assistance for implementation of order and police force for removal of encroachment.

Learned counsel for the State fairly informs that counter affidavit was filed on 04.05.2019 and the development thereafter is not known to him.

Having considered the submission advanced on behalf of the State as well as the stand taken in the counter affidavit and since the issue of encroachment in writ petition is not contested, we dispose of the writ petition with a direction to the concerned authorities in the district of Saran including the respondent nos. 4 to 11 to take all possible steps for implementation of order passed in Encroachment Case No. 05



of 2016/17, if already not executed, within a period of three months from today.

With the observations above, we dispose of the writ petition.

(Jyoti Saran, J)

(Partha Sarthy, J)

sushma/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.7.19
Transmission Date	NA

