

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3142 of 2018

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Madan Prasad Son of Sahdev Singh, Resident of Village- Saragatoua Tola
Maheshpur Anchal- Sikata, P.S.- Gopalpur, Dist- West Champaran Bettiah.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, West Champaran, Bettiah.
3. The Land Reforms Officer, Narkatiyaganj West Champaran Bettiah.
4. The Sub-Divisional Officer, Narkatiyaganj West Champaran Bettiah.
5. The Circle Officer, Sikata West Champaran Bettiah.
6. Baidhnath Mukhiya, Son of Late Magani Mukhya,
7. Ramnath Mukhiya, Son of Late Magani Mukhiya,
8. Suresh Mukhiya, Son of Late Shivnath Mukhiya,
9. Umesh Mukhiya, Son of Shivnath Mukhiya,
10. Rajdeo Mukhiya, Son of Late Sahdeo,
11. Sonelal Sah, Son of Late Laxmi Sah,
12. Seth Sah, Son of Late Laxmi Sah,
13. Manajer Sah, Son of Late Laxmi Sah,
14. Rajendra Sah, Son of Late Ramayodhya Sah, 6 to 14 are resident of
Sargatiya Tola Maheshpur P.S.- Gopalpur Anchal Sikata, Dist- West
Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Respondent/s : Mr.Arun Kumar Bhagat, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 14-05-2019 The petitioner is aggrieved by the inaction on the

part of the Circle Officer, Sikata West Champaran Bettiah in not

taking action for removal of encroachment.

Learned counsel for the petitioner submits that

right from 2018, the petitioner has been writing to the

concerned authorities for removal of encroachment from public



road. He further submits that public road has been encroached by the private respondents, but the Circle Officer, Sikata, West Champaran Bettiah is sitting tight over the matter and till date no action has been taken for removal of encroachment.

Considering the nature of grievance of the petitioner, the Court deems it fit and proper that petitioner should approach the Circle Officer, Sikata West Champaran Bettiah for registering a case under the Bihar Public Land Encroachment Act and thereafter the Circle Officer should properly decide the claim of the petitioner as to removal of encroachment.

Accordingly, the writ petition is disposed of with liberty to the petitioner to file an application in the prescribed format along with a copy of this order before the Circle Officer, Sikata, West Champaran Bettiah and the Circle Officer shall register a case on receipt of the application for removal of encroachment. Thereafter the Circle Officer shall provide opportunity of hearing to all the stakeholders including the alleged encroachers and thereafter pass appropriate order and if it is found that there is encroachment over the public land, he shall see that encroachment is removed from the public land. The entire exercise in this regard must be completed within a



maximum period of six months from the date of filing of the application along with a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

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