

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17221 of 2018

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Bhagwan Singh S/o Late Moti Lal Singh, R/o Village- Majhauri, P.O.-
Dharon, P.S. Dinara (Bhanas), District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Rohtas.
3. The Superintendent of Police, Rohtas.
4. The Additional Collector, Land Reforms, Rohtas, Sasaram.
5. The Sub- Divisional Officer, Sasaram, Rohtas.
6. The Circle Officer, Kochas, Rohtas.
7. The Officer-in- Charge, Bhanas outpost Dinara P.S. District Rohtas.
8. Bahadur Singh, son of Sheo Pujan Singh
9. Sita Ram Singh, son of Sheo Pujan Singh
10. Mahendra Singh, son of Raja Singh,
11. Ashok Singh, son of Indradeo Singh
12. Surendra Singh, son of Dhaneshwar Singh
13. Jokhan Singh, son of Jagdeo Singh
14. Ram Bachan Singh, son of Jagdeo Singh, All residents of Village- Majhauri,
P.O.- Dadhawn, P.S.- Dinara Bhanas, District- Rohtas.

Respondent 1st set.

Respondents 2nd set.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh
For the Respondent/s : Mr.Ajay -Ga5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 27.08.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned



counsel for the respondents.

Petitioner has prayed for the following relief:

“(i) That the respondents may be directed for removal of encroachment from Jalkar pond and the public road (Chawar) / Village road situate in plot no. 277 and 211 in Mauza-Manjholi under Kochas anchal of Rohtas district and the encroachment made by cowcatchers upon the public road and pond causing serious prejudice to the common people may immediately be removed.

(ii) That the respondents Circle Officer and Officer-in-Charge may be directed to ensure that the public road and the jalkar situated in plot no. 211 and 277 in Village is not encroached by the villagers and stern action may be taken against the law breakers.

(iii) That the action may be taken against the respondent no. 6 Circle Officer, Kochas, Rohtas for providing incorrect information regarding removal of encroachment.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt



of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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