

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2701 of 2018

In
Civil Writ Jurisdiction Case No.17171 of 2017

=====

Dr. Brajesh Kumar S/o Late Awadhesh Prasad Sharma, R/o Vill.- Tarwan,
P.S.- Naubatpur, District- Patna presently resides in Mohalla- Jagat Narayan
Road, P.S.- Kadam Kuan, District- Patna the Social Activist and
Representative of Society.

... .. Petitioner/s

Versus

1. The State of Bihar, through Sri Tripurari Sharan, The Chief Secretary, Forest Department, Government of Bihar, Patna.
2. Sunil Kumar Sinha, Patna Divisional Officer, Forest Department Government of Bihar, Patna.
3. Mr. Kumar Ravi, the District Magistrate Cum Collector, Patna.
4. Mr. Manu Maharaj, S.S.P., District- Patna.
5. Mr. Anil Kumar Sinha, Circle Officer, Naubatpur, Police Station- Naubatpur, District- Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajoy Kumar Chakraborty, Advocate
For the Opposite Party/s : Mr. Prabhat Kumar, AC to GA-11

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 27-02-2020 This petition filed on 24.07.2018 is listed for hearing
for the first time today before the Court.

It is not in dispute that pursuant to the direction issued
by this Court in C.W.J.C. No. 17171 of 2017 vide order dated
29.11.2017 (Dr. Brajesh Kumar Vs. The State of Bihar & Ors.),
all encroachments have been removed.

In the show cause notice dated 26.10.2018, the



respondents have also averred as under in para 11 and 12:-

"11. That it is submitted that after following due procedure of law, the answering respondent passed order and fixed the date 14.09.2018 for removal of encroachment from the land in question. Accordingly, the encroachment from the land in question was removed on 14.09.2018 in presence of the Circle Officer, Naubatpur, Circle Inspector, Junior Engineer, Bikram, Sub Inspector of Police of Naubatpur Police Station, the Sarpanch of Dariyapur Panchayat and other employee and local inhabitant. Accordingly, the report was prepared and all the persons signed the said report on 14.09.2018. Thus, the encroachment has been removed after following due procedure of law and issuance of notice to all the concerned. And as such, the order of this Hon'ble Court is complied with.

12. That it is further submitted that the answering opposite party no.5 requested the Station House Officer, Naubatpur vide letter No. 979 dated 14.09.2018 to keep vigilant over the land in question for its non encroachment by any one."

As such the present petition is disposed of with a direction to the authorities to take appropriate action in terms of the averments, for removal of encroachment, if occurs in future.

(Sanjay Karol, CJ)

(S. Kumar, J)

mdrashid/-

U			
---	--	--	--

