

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.825 of 2020

Arvind Kumar Singh S/o Hridya Nand Singh R/o Village- Barni, P.O. and
P.S.- Charpokhari, District- Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar,
2. The Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The District Magistrate, Bhojpur at Ara.
5. The Deputy Collector of Land Reforms, Piro, District- Bhojpur.
6. The Sub-Divisional Officer, Piro, District- Bhojpur.
7. The Circle Officer, Charpokhari, P.S.- Charpokhari, District- Bhojpur.

... .. Respondents

Appearance :

For the Petitioner	:	Mr.Sheo Jee Mishra, Advocate
For the Respondents	:	Mr.Sajid Salim Khan, SC 25

CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 14-01-2020 Petitioner has prayed for the following reliefs:-

“(i) Issuance of a writ/writs/order/ orders, direction/ directions in the nature of mandamus commanding the respondent authorities to remove the encroachment from the Ahar/Canal which has been the main source of irrigation of agricultural land of hundreds of Acres, and restore the Ahar/Canal in its original form, so that the farmers of the area and public in general can use its water for irrigation their land.

(ii) Issuance of any other relief/reliefs to which the petitioner is entitled to in the eyes of law.”



As per Section-3 of the Bihar Public Land Encroachment Act, the Circle Officer, the collector under the Act, has to initiate a proceeding for removal of encroachment if it appears to him that some public land has been encroached upon.

In the circumstances, we give liberty to the petitioner to file an application before the concerned Circle Officer in the District of Bhojpur at Ara, within four weeks when the Circle Officer will examine the revenue records and, if need be, may visit the spot in question and if it appears to him that the public land has been encroached upon, he will initiate an encroachment proceeding and after giving due notice to all concerned, shall take the proceeding to its logical end within three months thereafter.

The application stands disposed with the aforesaid observations.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

BT/-

U			
---	--	--	--

