

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5601 of 2020

Rajendra Mahato S/o Late Ramdhani Mahato resident of Village and P.O. Dhenuki, P.S. Panapur, Dist. Saran at Chhapra, present address- Rajendra Mahato, S/o Late Ram Dhani Mahato, resident of Moh- Tikia Mahal, Orderly Bazar near Mahaveer Club, P.S. Barractpor, Dist. North 24 Paraganas (W.B.).

... .. Petitioner/s

Versus

1. The State of Bihar through Home Commissioner, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Saran at Chhapra.
3. The Sub- Divisional Officer, Marahaurah, Dist.- Saran at Chhapra.
4. The Executive Officer, Marahaurah, Dist.- Saran at Chhapra.
5. The Circle Officer, Panapur, Dist.- Saran at Chhapra.
6. The Superintendent of Police, Dist.- Saran at Chhapra.
7. The Officer-in- Charge, Panapur, Dist.- Saran at Chhapra.
8. Bhimal Nat S/o Late Bhola Nat resident of Village Dhenuki (Maniya Tola), P.S. Panapur, Dist.- Saran at Chhapra.
9. Timal Nat S/o Late Bhola Nat resident of Village Dhenuki (Maniya Tola), P.S. Panapur, Dist.- Saran at Chhapra.
10. Raj Kumar Nat S/o Late Bhola Nat resident of Village Dhenuki (Maniya Tola), P.S. Panapur, Dist.- Saran at Chhapra.
11. Vishal Nat S/o Bhimal Nat resident of Village Dhenuki (Maniya Tola), P.S. Panapur, Dist.- Saran at Chhapra.
12. Rajul Kunwar W/o Late Bhola Nat resident of Village Dhenuki (Maniya Tola), P.S. Panapur, Dist.- Saran at Chhapra.
13. Kanti Devi W/o Bhimal Nat resident of Village Dhenuki (Maniya Tola), P.S. Panapur, Dist.- Saran at Chhapra.
14. Usha Devi W/o Raj Kumar Nat resident of Village Dhenuki (Maniya Tola), P.S. Panapur, Dist.- Saran at Chhapra.
15. Rekha Devi W/o Timal Nat resident of Village Dhenuki (Maniya Tola), P.S. Panapur, Dist.- Saran at Chhapra.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rananjay Kumar, Adv.
For the Respondent/s	:	Mr.Md. Nadim Seraj, GP-5
		Ms. Shalini, AC to GP-5

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-06-2022 The present writ petition has been filed



seeking removal of encroachment over public land / road situated at village Dhenuki P.S. Panapur, Saran.

The contention of the petitioner is that after the petitioner had filed a complaint before the Circle Officer, Panapur, Saran regarding encroachment made by the respondent nos. 8 to 15 upon public land, the Anchal Amin had measured the subject land and had found that respondent nos. 8 to 15 have encroached upon the same but no proceeding under the Bihar Public Land Encroachment Act, 1956 has yet been initiated by the Circle Officer, Panapur, Saran, though the report of the Anchal Amin has been submitted before him on 18-09-2019.

At this juncture, the learned counsel for the State, Md. Nadim Seraj (GP-5), submits that the Circle Officer, Panapur, Dist.- Saran at Chhapra. shall definitely initiate an encroachment proceeding, if not already initiated, in accordance with law and take it to its logical conclusion.

Accordingly, the writ petition stands



disposed of with a direction to the Circle Officer, Panapur, District- Saran at Chhapra to act upon the complaint made by the petitioner herein and the reports submitted by the Anchal Amin and initiate appropriate proceedings under the provisions of the Bihar Public Land Encroachment Act, 1956. It is expected that the entire exercise shall be completed within a period of eight weeks from today and the needful shall be done thereafter.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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