

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9134 of 2020

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1. Suresh Prasad Singh son of Late Munshi Prasad Singh resident of Village- Makhdumpur, P.O.- Kochara, P.S.- Khudaganj, District- Nalanda, PIN- 801303.
 2. Surjit Singh son of Sri Suresh Prasad Singh resident of Village- Makhdumpur, P.O.- Kochara, P.S.- Khudaganj, District- Nalanda, PIN- 801303.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Department of Land and Revenue, Bihar, PIN- 800015.
2. The District Magistrate, Nalanda, Bihar Sharif, PIN- 803101.
3. The Sub- Divisional Officer, Hilsa, Nalanda, PIN- 801302.
4. The Circle Officer, Islampur, Hilsa, Nalanda, PIN- 801302.
5. The Officer-in- Charge, Khudaganj, District- Nalanda, PIN- 801303.
6. Shri Radhyashyam Prasad Singh son of Late Tulsi Singh @ Ramlait Singh resident of Village- Makhdumpur, P.O.- Kochara, P.S.- Khudaganj, District- Nalanda, PIN- 801303.
7. Shri Krishan Mohan Singh @ Kegia son of Shri Radhyashyam Prasad Singh resident of Village- Makhdumpur, P.O.- Kochara, P.S.- Khudaganj, District- Nalanda, PIN- 801303.
8. Shri Raju Singh son of Shri Radhyashyam Prasad Singh resident of Village- Makhdumpur, P.O.- Kochara, P.S.- Khudaganj, District- Nalanda, PIN- 801303.
9. Shri Ranjan Singh son of Shri Radhyashyam Prasad Singh resident of Village- Makhdumpur, P.O.- Kochara, P.S.- Khudaganj, District- Nalanda, PIN- 801303.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinay Raj, Adv.
For the State	:	Mr. Mukul Prasad, AC to GP-18

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-06-2022 The present writ petition has been filed for directing the State-Respondents to remove the encroachment made over the natural water body



situated over Government Land (Gairmazarua Aam Land) being Khata No. 49, Khesra No. 362, having an area of about 0.16 Dec, falling within Thana No. 131, Mauza-Makhdumpur, Revenue Circle-Islampur, District-Nalanda.

The learned counsel for the petitioners has submitted that the very same encroachers had also encroached the land in question earlier and by an order dated 18.4.2006 passed in Encroachment Case No. 2/06-07, the Circle Officer, Islampur, Hilsa, Nalanda had directed for removal of the encroachment, however, again, the said land in question has been encroached by unauthorized encroachers.

Having regard to the limited grievance of the petitioners, I deem it fit and proper to dispose of the present writ petition with liberty to the petitioners to approach the Circle Officer, Islampur, Hilsa, Nalanda by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956 and in case, such a petition is filed within a period of four weeks from



today, the Circle Officer, Islampur, Hilsa, Nalanda shall consider the petition of the petitioners and after hearing the affected parties, shall pass appropriate orders and ensure that encroachment, if any, is removed forthwith.

(Mohit Kumar Shah, J)

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