

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6807 of 2022

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Rajesh Kumar Son of Praduman Prasad, Resident of Village and Post-Narkatiya, P.S.- Darpa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate-cum- Collector, East Champaran at Motihari.
3. The Additional Collector, East Champaran, Motihari.
4. The Sub- Divisional Officer, Raxaul, East Champaran, Motihari.
5. The Deputy Land Reform Collector, Raxaul, East Champaran, Motihari.
6. The Circle Officer, Chhauradano, East Champaran, Motihari.
7. Nand Kumar Prasad Son of Late Mahanth Sah, resident of Village and Post-Narkatiya, P.S.- Darpa, District- East Champaran.
8. Bal Kumar Prasad Son of Late Mahanth Sah, resident of Village and Post-Narkatiya, P.S.- Darpa, District- East Champaran.
9. Vishwanath Prasad Son of Late Mahanth Sah resident of Village and Post-Narkatiya, P.S.- Darpa, District- East Champaran.
10. Ranjeet Kumar Prasad Son of Late Mahanth Sah resident of Village and Post- Narkatiya, P.S.- Darpa, District- East Champaran.
11. Lalan Kumar Son of Nand Kumar Prasad, resident of Village and Post-Narkatiya, P.S.- Darpa, District- East Champaran.
12. Ashok Kumar Son of Bal Kumar Prasad, resident of Village and Post-Narkatiya, P.S.- Darpa, District- East Champaran.
13. Chuman Kumar Son of Bal Kumar Prasad, resident of Village and Post-Narkatiya, P.S.- Darpa, District- East Champaran.
14. Santosh Kumar Son of Vishwanath Prasad, resident of Village and Post-Narkatiya, P.S.- Darpa, District- East Champaran.
15. Manish Kumar Son of Ranjeet Kumar Prasad, resident of Village and Post-Narkatiya, P.S.- Darpa, District- East Champaran.
16. Himanshu Kumar Son of Ranjeet Kumar Prasad, resident of Village and Post- Narkatiya, P.S.- Darpa, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Anuj Kumar, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha (SC-19)
	:	Mr.Atul Shankar, AC to SC-19
For the Pvt. Respondents:	:	Mr.Dilip Kumar Tondon, Advocate
	:	Mr.Prateek Tondon, Advocate



CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-12-2022 The present writ petition has been filed seeking the following relief:-

“i) To direct the Respondents to remove the encroachment from the drainage, which was on Northern Side of Plot No. 2207, Thana No. 130, Khata No. 378, Mauza– Narkatiya (corner side of east-south of the Plot No. 2207 according to report of C.O.’s officials – Annexure – 12 Series).”

At the outset, the learned counsel for the respondents has submitted that the Circle Officer, Chhauradano, East Champaran at Motihari i.e. the respondent no. 6 has already initiated encroachment proceeding bearing Encroachment Case No. 12 of 2021-22 and the same shall be taken to its logical conclusion, within a stipulated time frame.

The learned counsel for the petitioner has submitted that the respondent no.6 be directed to conclude the proceedings of the aforesaid encroachment case, expeditiously.

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the respondent no. 6 to pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in accordance with law and after hearing the affected parties, in connection with the aforesaid



Encroachment Case No. 12 of 2021-22, within a period of 12 weeks of receipt/production of a copy of this order.

(Mohit Kumar Shah, J)

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