

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6823 of 2022

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Kamlesh Kumar Singh @ Kamlesh Singh son of Late Dayanand Singh
resident of Village- Masarhi, P.O.- Deohaila, P.S.- Ramgarh and District-
Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reform, Govt. of Bihar, Patna.
2. The Commissioner, Shahabad Division, Patna.
3. The District Magistrate-cum- Collector, Aurangabad
4. The Sub- Divisional Officer, Sub Division, Mohania Kaimur at Bhabhua.
5. The Circle Officer, Circle Ramgarh Kaimur at Bhabhua.
6. Mithai Baree son of Late Suruj Baree resident of Village- Masarhi, P.S.- Ramgarh, Distt.- Kaimur at Bhabhua.
7. Sadan Baree son of Late Chandrama Baree resident of Village- Masarhi, P.S.- Ramgarh, Distt.- Kaimur at Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra,Adv.
For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-12-2022 The short prayer made by the petitioner in the present case is to direct the Respondents to remove the encroachment made over the public land, appertaining to Khata No. 226, Plot No. 273, situated at Mauza-Masarhi under Revenue Thana No. 169, Circle- Ramgarh, District-Kaimur at Bhabhua, which is recorded as gairmajarua aam land and the same is being used as rasta.

It is stated in the present writ petition that



an encroachment case bearing Encroachment Case No. 5/2021-22 has already been initiated by the Circle Officer, Ramgarh, Kaimur at Bhabua i.e. the respondent no. 5, however, no action is being taken to remove the encroachment in question.

Per contra, the learned counsel for the Respondent-State has submitted that notices under Section 6(2) of the Bihar Public Land Encroachment Act, 1956, have already been issued to the encroachers and the encroachment shall be removed, forthwith.

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Respondent No. 5 to conclude the proceedings of the aforesaid Encroachment Case No. 5/2021-22 by taking the same to its logical conclusion and remove the encroachment, if so found, in accordance with law and after hearing the affected parties, in case they have not already been heard, within a period of eight weeks of receipt/ production of a copy of this order.

The writ petition stands disposed off on the



aforesaid terms.

(Mohit Kumar Shah, J)

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