

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8000 of 2022

Rameshwar Rai Son of Late Sukeshwar Rai, Resident of Village-Deoghara, P.O.-Bangra Nizamal, P.S. and Block and Circle-Sahebganj, District-Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, District-Muzaffarpur.
3. The Sub-Divisional Officer, Muzaffarpur West, District-Muzaffarpur.
4. The Circle Officer, Circle Sahebganj, District-Muzaffarpur.
5. The Circle Inspector, Circle Sahebganj, District-Muzaffarpur.
6. Ramashray Rai, son of Late Sahdeo Rai, resident of Village-Deoghara, P.O.-Bangra Nizamal, P.S. and Circle and Block-Sahebganj, District-Muzaffarpur.
7. Shankar Rai, son of Late Naurangi Rai, resident of Village-Deoghara, P.O.-Bangra Nizamal, P.S. and Circle and Block-Sahebganj, District-Muzaffarpur.
8. Narad Rai, son of Late Sahdeo Rai, resident of Village-Deoghara, P.O.-Rajwara, P.S. and Circle and Block-Sahebganj, District-Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC-19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

“1. That this is an application for issuance of writ/writs, direction/directions, order/orders in the nature of mandamus for commanding and directing the respondents to remove the encroachment over the Brahm Asthan Public land bearing Khata No. 136, Plot No. 379, Area 09 decimals situated in village Deoghara (Thana No. 24) P.S. + Circle + Block – Sahebganj, District – Muzaffarpur encroached by Respondent no. 6 to 8 and further to develop the place of



worship of God Brahm and for other relief/reliefs in the facts and circumstances of the case as stated here in after.”

At the outset, the learned counsel for the respondents submits that an encroachment proceeding bearing Encroachment Case No. 3 of 2016-17 has already been initiated by the Circle Officer, Circle Sahebganj, District-Muzaffarpur, i.e. the respondent no.04 and the same shall definitely be taken to its logical conclusion.

The learned counsel for the petitioner submits that the aforesaid encroachment case be directed to be concluded, expeditiously.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present writ petition with a direction to the respondent no. 04 to conclude the proceeding of the aforesaid Encroachment Case No. 03 of 2016-17, by passing 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, within a period of 12 weeks of receipt/production of a copy of this order.

(Mohit Kumar Shah, J)

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