

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5534 of 2018

=====

Ram Bachchu Rai son of Late Kanhaiya Rai, resident of Village- Riwan,
Police Station Kargahar, Post Officer Akhtiyarpur, District- Rohtas at
Sasaram.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate, Rohtas.
3. The Sub Divisional Magistrate, Sasaram, District Rohtas at Sasaram.
4. The Sub Divisional Public Grievance Redressal Officer, Sasaram, District Rohtas at Sasaram.
5. The Circle Officer, Anchal Kargahar, Post Office Kargahar, Rohtas at Sasaram.
6. Jamuna Rai son of Late Rampati Rai.
7. Rameshwar Rai son of Late Sudama Rai.
8. Baliram Rai son of Late Baijnath Rai.
9. Kashinath Rai son of Late Mahadeo Mahto.
10. Bhikhari Rai son of Late Vishwanath Rai.
11. Jairam Rai, son of Late Ram Bharat Rai.
12. Ramjanam Rai son of Late Suraj Rai.
13. Paras Kharwar, son of Late Ramanand Kharwar.
14. Santosh Kumar Rai, son of Late Ram Nihora Rai. All residents of Village- Riwan, Police Station Karahar, Post Office Akhtiyarpur District Rohtas at Sasaram.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. K.N. Choubery, Sr. Advocate
	:	Mr. A.N. Choubey, Advocate
	:	Mr. Ashok Kr. Garg, Advocate
For the Respondent/s	:	Mr.Raj Kishore Roy- GP18

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

8 22-09-2022 Though the present writ petition was filed for

removing encroachment over the land in question, which had

re-surfaced but the learned counsel for the respondent- State has



informed this Court than an Encroachment case no. 10 of 2022-23 has already been initiated and the Circle Officer, Kargahar has been directed to dispose off the same, in accordance with law and after hearing the affected parties.

The learned District Magistrate, Rohtas at Sasaram has also filed a supplementary counter affidavit, wherein, it has been stated in paragraphs no. 7 to 10 that appropriate action is being taken against the erring Circle Officer and S.H.O.s as also other staff of the District Administration who had connived and permitted the encroachment to re-surface. In such view of the matter, it is directed that the aforesaid officials who have erred and derelicted in discharge of their duties, should be suspended forthwith, and appropriate departmental proceeding should be initiated and taken to its logical conclusion, within a period of six months from today and a report to the said effect should be submitted with the Registrar General of this Court. As far as the aforesaid Encroachment case no. 10 of 2022-23 is concerned, the Circle Officer, Kargahar, Rohtas at Sasaram is directed to pass the final orders 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 from today and take consequent action, accordingly.



At this juncture, the learned counsel for the respondent no. 8 submits that the respondent no. 8 may also be allowed to file his objections/ representations before the aforesaid Circle officer and the said Circle Officer be directed to consider the same and thereafter, pass an order, in accordance with law.

It is directed, accordingly.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

rinkee/-

U			
---	--	--	--

