

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1008 of 2018

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Chandan Kumar Mahto S/o Narayan Mahto r/o vill Bahurupiya P.S. Sugauli,
Dist E. Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate East Champaran at Motihari.
3. The S.D.M. Motihari at Motihari East Champaran.
4. The Circle Officer Sugauli Block at Sugauli W. Champaran.
5. The D.C.L.R. Sadar at Motihari East Champaran.
6. Badri Mahto s/o late Natuni Mahto
7. Ravindra Mahto s/o late Bhuti Mahto Both r/o Bahurupiya, P.S. Sugauli,
Dist E. Champaran.
8. The Manager Bettiah Raj at Bettiah , Distt. West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Respondent/s : Mr.Rishi Raj Sinha, Standing Counsel-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-07-2022 The learned counsel for the petitioner has referred to

an order dated 01.04.2017 passed by the Circle Officer, Sugauli,

whereby and whereunder notices have been issued to the

encroachers to remove the encroachment, failing which the

same would be removed by force.

It is the complaint of the petitioner that despite the

said order dated 01.04.2017 as also one another order dated

21.06.2017, by which the Circle Officer, Sugauli has

requisitioned police force for the purposes of removal of

encroachment in question, the encroachment is not being



removed.

Per contra, the proposed interveners i.e. Badri Mahto and Rabindra Mahto (alleged encroachers) represented by Shri Prateek Tandon, Advocate, submits that they have purchased the land in question by a registered sale deed, hence they are not encroachers, thus liberty be granted to them to assail the aforesaid order dated 01.04.2017 passed by the Circle Officer, Sugauli.

Having regard to the facts and circumstances of the case, while giving liberty to the proposed interveners, as aforesaid, to challenge the aforesaid order dated 01.04.2017 passed by the Circle Officer, Sugauli, in accordance with law, the District Magistrate, East Champaran at Motihari is directed to take appropriate action, in accordance with law especially considering the order passed by the Circle Officer, Sugauli dated 01.04.2017 and 21.06.2017.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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