

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10879 of 2020

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Dhirendra Kumar Son of Shankar Mandal R/o Dahiyar Ranna P.S.- Hatowdi
O.P.- Shivaji Nagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate-cum- Collector, Samastipur, District- Samastipur.
3. The Superintendent of Police, Samastipur, District- Samastipur.
4. The Sub- Divisional Officer, Samastipur.
5. The Circle Officer, Shivaji Nagar, Samastipur.
6. The S.H.O. Hatowdi Police Station, Shivaji Nagar, District- Samastipur.
7. Ram Babu Mandal son of (Late) Udgari Mandal resident of Dahiyar Ranna, P.S. Hatowdi, O.P. Shivaji Nagar, District- Samastipur.
8. Bindeshwari Mandal son of (Late) Akhileshwar Mandal resident of Dahiyar Ranna, P.S. Hatowdi, O.P. Shivaji Nagar, District- Samastipur.
9. Chandra Shekhar Mandal son of (Late) Akhileshwar Mandal resident of Dahiyar Ranna, P.S. Hatowdi, O.P. Shivaji Nagar, District- Samastipur.
10. Banku Mandal son of (Late) Ramswaroop Mandal resident of Dahiyar Ranna, P.S. Hatowdi, O.P. Shivaji Nagar, District- Samastipur.
11. Ram Bahadur Mandal son of (Late) Upendra Mandal resident of Dahiyar Ranna, P.S. Hatowdi, O.P. Shivaji Nagar, District- Samastipur.
12. Ranjeet Mandal son of (Late) Kairku Mandal resident of Dahiyar Ranna, P.S. Hatowdi, O.P. Shivaji Nagar, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi,Advocate
For the Respondent/s : Mr.Lalit Kishore,AG

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-11-2022 The present writ petition has been filed seeking the following reliefs:-

“(a) To direct the respondent to remove the encroachment illegally made by private respondent no. 7 to 12 from public road and land appertaining to Khata No. 199 (old) Khata No. 415 (New), Khesra No. 860, 872 (Old) Khesra No. 1770, 1776, 1778, 1779 and 2269 (New) recorded as Anabad Surv Sadharan Govt. Of Bihar in Khatian and Revenue



records situated in Mauja Daniyar Ranna Thana No. 13, P.S. Hotowdi, Shivaji Nagar.

(b) To direct the respondent Circle Officer, Shivaji Nagar, Samastipur (Respondent NO. 5) to decide the encroachment case no. 62/2020 to its logical conclusion and remove the encroachment from Public road and land.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Shivaji Nagar, District-Samastipur, for redressal of his aforesaid grievance. Liberty so sought is granted.

It is needless to state that in case the aforesaid Encroachment Case No. 62 of 2020 is still pending, before the Circle Officer, Shivaji Nagar, District-Samastipur, the same shall be disposed off by the respondent no. 5 by passing final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, within a period of 12 weeks of receipt/production of a copy of this order, in accordance with law and after hearing the affected parties.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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