

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5100 of 2018

1. Venkatesh Narayan, Son of Sanatan Singh
2. Anjlesh Kumar Son of late Mithilesh Sharma
3. Sukhdeo Sao Son of late Mundrika Sao All are resident of Village- Bakhtar, Police Station- Mehandiya in the district of Arwal.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Revenue, Government of Bihar, Patna
2. The Principal Secretary, Department of Revenue, Government of Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate-cum-Collector, Arwal.
5. The Sub-Divisional Magistrate, Arwal.
6. The Circle Officer, Kaler in the district of Arwal.
7. Raja Sharma
8. Rama Nand Sharma Both Sons of late Shalikgram Singh
9. Parshuram Singh Son of late Balkeshwar Singh
10. Braj Kishore Sharma Son of late Sita Saran Sharma
11. Ram Narayan Son of late Janeshwar Singh
12. Baijnath Prasad Son of late Ram Chandra Singh All Resident of Village- Bakhtar, Police station- Mehandiya, District Arwal.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar, Advocate
For the Respondent/s	:	Mr.Subhash Chandra Yadav -GP 15
For respondents 7 to 12	:	Mr. Ranjit Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 30-08-2022 In compliance of the earlier order of this Court dated 02.08.2022, a supplementary counter affidavit has been filed by the District Magistrate, Arwal, wherein it has been stated that steps are being taken to remove the encroachment made over the government land, however this Court finds that though an



encroachment proceeding vide Encroachment case no. 5 of 2018 has been initiated by the Circle Officer, Kaler, Arwal but no notice under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”) has been issued to the private respondent nos. 7 to 12, hence this Court deems it fit and proper to direct the Circle Officer, Kaler to issue notice to the private respondents no. 7 to 12 as also to the other encroachers under Section 3 of the Act, 1956, seek their reply and then pass the final order under Section 6(1) of the Act, 1956 and in case, encroachment is found, consequential action shall also be taken, thereafter. It is needless to state that the aforesaid proceedings of the Encroachment case no. 5 of 2018 is directed to be concluded within a period of 12 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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