

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17149 of 2021

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Gautmi Devi W/o Devendranath Shukl, R/o Village and P.O.-Narhawa Shukl,
P.S.-Gopalpur, Block-Kuchaikot, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar.
2. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar.
3. The District Magistrate, Gopalganj.
4. The Sub-Divisional Officer, Gopalganj.
5. The Deputy Collector, Land Reforms, Gopalganj.
6. The Circle Officer, Kuchaikot.
7. Santosh Shukl, S/o Late Thakur Shukl, Resident of Village and P.O.-Narhawa Shukl, P.S.-Gopalpur, Block-Kuchaikot, District-Gopalganj.
8. Chhote Shukl, S/o Late Thakur Shukl, Resident of Village and P.O.-Narhawa Shukl, P.S.-Gopalpur, Block-Kuchaikot, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Srivastava, Adv.
For the Respondent/s : Mr.Rishi Raj Sinha (SC19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-11-2022 Though, the present writ petition was filed for removing the encroachment made over the public land appertaining to Khata no.- 263, Survey no.- 991 (Area – 1 Katha), 1091 (Area – 1 Katha) situated at Main Road, Mauza – Narahwa Shukl, P.S. - Gopalpur, Circle – Kuchaikot, District – Gopalganj, which has been encroached by the Private Respondent Nos. 7 & 8 forcefully, however, the respondents no. 7 and 8 have filed an interlocutory application bearing I.A. No. 1 of 2022, wherein it has been stated that an Encroachment Case



No. 16 of 2022-23 has been initiated and a notice under Section 3 of the Bihar Public Land Encroachment Act, 1956, has been issued to them.

Having regard to the fact that an encroachment proceeding has already been initiated by the Circle Officer, Kuchaikot i.e. respondent no. 6, bearing Encroachment Case No. 16 of 2022-23, I deem it fit and proper to dispose off the present writ petition, however, with a direction to respondent no. 6 to consider the objection/representation already filed by the respondent no. 7 and 8 and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in accordance with law, within a period of eight weeks from today.

It is needless to state that till the final order is passed by the respondent no. 6 under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, the respondents no. 7 and 8 shall not be dispossessed from their land.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Tiwary/Saurav

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