

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19396 of 2021**

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Om Prakash Upadhyay Son of Radha Krishna Upadhyay Resident of Village-  
Barajairam, Police Station- Chiraia, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary Department of Revenue, Govt. of Bihar, Patna.
2. The District Magistrate East Champaran at Motihari.
3. The Circle Officer Circle Ghorasahan, East Champaran.
4. The Officer in Charge, Police Station Ghorasahan District- East Champaran.
5. Ramdutt Rai Son of Inraman Rai Resident of Village- Bhaserwa, Police Station- Ghorasahan, District- East Champaran.
6. Lakhsman Rai Son of Inraman Rai Resident of Village- Bhaserwa, Police Station- Ghorasahan, District- East Champaran.
7. Rameshwar Rai Son of Inraman Rai Resident of Village- Bhaserwa, Police Station- Ghorasahan, District- East Champaran.
8. Ram Balak Rai Son of Bigu Rai Resident of Village- Bhaserwa, Police Station- Ghorasahan, District- East Champaran.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Abhitabh Kumar, Advocate               |
| For the Respondent/s | : | Mr.Sajid Salim Khan (Standing Counsel-25) |

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      11-08-2022                      Though the present writ petition has been filed seeking removal of encroachment over public land situated in the district of East Champaran at Mauza-Laukhan, Thana No. 63, Khata No. 20, Khesra No. 855, but it has been informed by the learned counsel for the petitioner that an encroachment proceeding was initiated by the Circle Officer, Ghorasahan, District-East Champaran i.e. respondent no. 3 vide Encroachment Case No. 24 of 2020-21 and by an order dated



19.02.2021, the respondent no. 3 had passed an order that since no evidence has been produced by the encroachers, the encroachment be removed, nonetheless, by an order dated 03.03.2021, the respondent no. 3 has entertained the objection filed by the encroachers, however, no further steps have been taken to remove the encroachment in question.

Having regard to the facts and circumstances of the case, the respondent no. 3 is directed to pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, within a period of eight weeks from today and in case it is found that encroachment has been made, the same is also directed to be removed, forthwith.

The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

S.Sb/-

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