

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15698 of 2022

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Ram Bachan Singh @ Ram Vachan Singh Son of Late Doman Singh Resident
of Village- Kamta, P.S. Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate, Nalanda at Biharsharif.
3. The Superintendent of Police, Nalanda at Biharsharif.
4. The Sub Divisional Magistrate, Hilsa, District- Nalanda.
5. The Circle Officer, Hilsa, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Arun,Adv.
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)
Mrs.Surekha Kumari,AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-12-2022 The present writ petition has been filed
seeking the following relief:-

“1(i). That this is an application for issuance of a writ in the nature of mandamus or any appropriate writ, order and directions commanding the respondents to remove the encroachment truly from the Gair Mazarua Aam Rasta Land appertaining to Khata No.198, Plot No. 2565, Area 1044 sqft. Situated at Village/Mauza- Kamta (Revenue Thana No. 60) under the jurisdiction of Circle Officer, Hilsa District-Nalanda which has been



illegally encroached upon by some of the big guns of the village by creating pucca boundary wall over the same causing great inconvenience to all the villagers in general including the petitioner from coming out and going to their respective houses.”

At the outset, the learned counsel for the petitioner has submitted that though an Encroachment Case No. 01 of 2021-22 was initiated by the Circle Officer, Hilsa, for removal of encroachment in question, however, till date, the encroachment has not been removed despite an order having been passed, vide Memo dated 13.05.2022, fixing 28.05.2022, as the day for removal of the encroachment in question.

The learned counsel for the Respondent-State submits that in case the Circle Officer, Hilsa has passed the aforesaid order dated 13.05.2022, it is incumbent upon him to ensure removal of the encroachment in question.

Having regard to the facts and circumstances of the case, I deem it fit and proper



to dispose off the present writ petition with a direction to the District Magistrate, Nalanda at Bihar Sharif, to ensure removal of the encroachment made over the public land in question, in accordance with law, within a period of eight weeks of receipt/production of a copy of this order.

(Mohit Kumar Shah, J)

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