

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.190 of 2018

Md. Kasiruddin Son of Hurmat Ali, Resident of Village-Chhattargachh Baksa,
Chhattargachhi, Police Station-Pothia, District-Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector, Kishanganj
2. The Collector, Kishanganj.
3. The Additional Collector, Kishanganj.
4. The S.D.O., Kishanganj.
5. The Deputy Collector, Land Reforms, Sadar, Kishanganj.
6. The Circle Officer, Pothia, Kishanganj.
7. The Superintendent of Police, Kishanganj
8. The Officer Incharge, Pothia, Kishanganj.
9. Laxman Das Son of Late Panchu Das, Resident of Village-Baksha, Police Station-Pothia, District-Kishanganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Binay Kumar, Advocate
For the Respondent/s	:	Mr.Md. Khurshid Alam -Aag12
	:	Mr. Md. Majid Mahboob Khan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 19-07-2022 Though the present writ petition was filed for directing the respondents to remove the encroachment made by respondent no. 9, from the land of kabristan appertaining to Khata no. 198, Khesra no. 817, Mauza-Baksa Anchal, PS-Pothia, District-Kishanganj, however during the interregnum period, the Circle Officer, Pothia had initiated an encroachment case bearing Encroachment case no. 4 of 2015-16 and by an order dated 26.04.2018, has held that the said private respondent no. 9 is an encroacher, hence has directed him to vacate the



encroached land.

The learned counsel for the petitioner has submitted that till date, the said private respondent no. 9 has not vacated the encroached land.

Per contra, the learned counsel for the respondent State submits that in case, the said order dated 26.04.2018 has not been annulled by any higher forum/ Court, then the District Magistrate, Kishanganj shall immediately take appropriate steps to remove the encroachment in question, in accordance with law, within a period of four weeks from today.

It is directed accordingly.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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