

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8238 of 2017

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Lal Babu Yadav son of Late Manan Yadav, resident of Village- Harihar Chhapra, Police Station- Siswan, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Siwan.
3. The Superintendent of Police, Siwan.
4. The Sub-Divisional Magistrate, Siwan.
5. The Circle Officer, Siswan, District- Siwan.
6. The Officer-in-Charge/Station House Officer, Siswan Police Station, District- Siwan.
7. Bishwanath Yadav, son of Late Raj Banshi Yadav, resident of Village- Harihar Chhapra, Police Station- Siswan, District- Siwan.
8. Shri Kishun Yadav, son of Late Babulal Yadav, resident of Village- Harihar Chhapra, Police Station- Siswan, District- Siwan.
9. Hareram Yadav, son of Raghunath Yadav, resident of Village- Harihar Chhapra, Police Station- Siswan, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s : Mr. Sudhanshu Bhushan, AC to GP-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-04-2023 The present writ petition has been filed seeking the following reliefs:-

“1. A) For issuance of an appropriate writ in the nature of mandamus commanding and directing the respondent authorities for permanent removal of the encroachment from the land bearing Khata No.165, Survey No. 467 area 45 decimal situated in the village-Harihar



Chhapra, which comes under Siswan police station and Block Siswan under the District of Siwan as the same is a Gairmajarua Aam land which has been encroached by the respondent no.7, 8 and 9.

B) For issuance of an appropriate order / direction / writ in the nature of mandamus commanding the respondent authorities to take appropriate step against the responsible person who are not taking steps in accordance with law for permanent removal of the encroachment from the land even after getting several representations of the petitioner."

At the outset, the learned counsel for the petitioner has referred to the counter affidavit filed in the present case to submit that the Circle Officer, Siswan, District-Siwan has already initiated encroachment proceeding vide Encroachment Case No. 7 of 2017-18 and the same be directed to be concluded within a fixed time frame.

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Siswan, District-Siwan



to conclude the proceedings of the aforesaid encroachment case, if not already concluded, by passing the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in accordance with law, and after hearing the affected parties, within a period of six weeks from today.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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