

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9335 of 2016

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1. Md. Shahabuddin Son of Md. Azim Miyan.
 2. Baliram Sah Son of Late Jag Dayal Sah.
Both Resident of Village- Dumariya, P.S.- Shahpur, P.O.- Bharauli, District- Bhojpur Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Bhojpur, Dist-Bhojpur at Ara (Bihar)
2. The District Collector Land Reforms, Jagdishpur, District- Bhojpur Bihar.
3. The Circle Officer, Shahpur, District- Bhojpur
4. Thakur Prasad Son of Late Vishwanath Sah.
5. Yamuna Sah Son of Late Brija Sah.
6. Dwaika Singh Son of Late Ram Lakhan Singh.
7. Hare Ram Sah Son of Late Chanarma Sah.
Sl. No. 04 to 07 are resident of Village- Dumaria, P.S.- Shahpur, P.O.- Bharauli, District- Bhojpur at Ara Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Pandey,Adv.
For the Respondent/s : Mr.Geeta Kumari,GP-28

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-03-2023 The present writ petition has been filed
seeking the following relief:-

“1.That this writ application is for a direction upon the Respondents (Respondents 1st Set) for removal of encroachment over the public land (Anawad Sarva Sadharan) of which the Petitioners and other villagers are user for the land in question from time immemorial as the exit of waste water as well as garbage dumping yard.”



At the outset, the learned counsel for the respondent-State has referred to the counter affidavit filed in the present case and has submitted that an encroachment case bearing Encroachment Case No.04 of 2018-19, has already been initiated by the Circle Officer, Shahpur, District-Bhojpur, and the same would definitely be concluded within a fixed time frame, as prescribed by this Court.

Accordingly, the present writ petition stands disposed off with a direction to the Circle Officer, Shahpur, Bhojpur to conclude the proceedings of the aforesaid encroachment case 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 four weeks from today, whereupon the consequential action shall also be taken forthwith.

(Mohit Kumar Shah, J)

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