

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12647 of 2016

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Md. Hussain Mian son of Late Wakil Mian, resident of Village- Amwa Majhar
Tola Phulwari, P.S- Bettiah, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Revenue & Land Reforms Department
2. The Collector, District- West Champaran.
3. The Sub-Divisional Officer, Bettiah, West Champaran.
4. The Anchaladhikari, Anchal- Majhauria, District- West Champaran.
5. The Anchal Amin, Anchal- Majhauria, District- West Champaran.
6. Lal Babu Patel son of Jagdeo Patel.
7. Shambhu Singh son of Late Banshi Lal Singh,
8. Haroon Mian son of Hadees Mian,
9. Sharvan Paswan son of Late Raghunath Paswan,
10. Pundev Mahto son of Late Ramchandra Mahto.
11. Shiv Chandra Mahto son of Bishun Mahto, Sl. No. 6 to 11, all resident of Village- Amwa Majhar, Tola Phulwari, P.S- Bettiah Mofassil, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Mr.Sajid Salim Khan-Sc25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

“1(a). To issue appropriate writ/order/direction in the nature of Mandamus for commanding the respondent Anchaladhikari, Anchal- Majhauria, District- West Champaran, to early disposal of the Case No. 02/2012- 13, which is pending before him since long.



(b) To issue appropriate writ / order / directions in the nature of Mandamus, for commanding the respondent authorities to remove the encroachment which is Gair Majarua Aam Rasta land, and only way of the petitioner to go out-side his home, as well as people of the locality, upon which the petitioner as well as people of the locality gave application to encroachment, encroached by the respondent no. 6 to 11.

At the outset, the learned counsel for the petitioner submits that the encroachment proceedings bearing Encroachment Case No. 2 of 2012-13 is pending before the Circle Officer, Majhauria, District-West Champaran and despite lapse of about 10 years, there is no progress in the said case, hence, appropriate direction be issued for the purposes of disposal of the aforesaid case expeditiously.

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Majhauria, District-West Champaran to conclude the proceedings of the aforesaid Encroachment Case No. 2 of 2012-13 and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, if not already passed, in accordance with law and after hearing the effected parties, within a period of six weeks from today, failing which neither



the Circle Officer, Majhaulia, District-West Champaran nor the District Magistrate, West Champaran at Bettiah shall draw their salary.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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