

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3671 of 2020

Ram Pravesh Roy Son of Ramashray Roy Resident of Village- Jagdishpur, Police Station- Ghataho, Circle- Sarai Ranjan, District- Samastipur, At present 108 Bandhu Garden Apartment, Varun Colony, Gola Road, East of Sonu Market, Near- Issyoga, Post Office- Danapur, P.S.- Rupaspur, Distt.- Patna, 801503.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms and Land Acquisition Department, Government of Bihar, Patna.
2. The District Magistrate Samastipur.
3. The Superintendent of Police Samastipur.
4. The Deputy Collector Land Reforms, Samastipur.
5. The Sub Divisional Magistrate Samastipur.
6. The Circle Officer Sarai Ranjan, Samastipur.
7. Sogarath Sahni Son of Chalitar Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
8. Sakhindar Sahni Son of Sogarath Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
9. Satto Sahni Son of Saryug Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
10. Gona Sahni Son of Chalitar Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
11. Surendra Sahni Son of Sogarath Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
12. Bhageran Sahni Son of Jamun Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
13. Anil Sahni Son of Jamun Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
14. Wali Sahni Son of Sogarath Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
15. Indal Sahni Son of Ram Baran Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
16. Kari Sahni Son of Ram Baran Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
17. Yogi Sahni Son of Bikau Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
18. Bandhu Sahni Son of Bikau Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
19. Govind Sahni Son of Bikau Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.



20. Umesh Sahni Son of Bandhu Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
21. Mahesh Sahni Son of Bandhu Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
22. Ganesh Sahni Son of Bandhu Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.
23. Mnnu Sahni Wife of Bandhu Sahni Resident of Village- Jagdishpur, Police Station- Ghataho, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

8 30-01-2023 Heard the parties.

2. After some arguments, learned counsel appearing on behalf of the petitioner submitted that action has already been taken against the Circle Officer, as per the averment made in the counter affidavit.

3. Learned counsel appearing on behalf of the petitioner submitted that final order has already been passed in compliance of the order dated 28.09.2022 by the Circle Officer, Sarai Ranjan, Samastipur, however, certain encroachment is still existing on the PCC road passing in front of the house of the petitioner.

4. Learned counsel appearing on behalf of the respondent submitted that the Circle Officer has already passed order and a counter affidavit giving specific statement that all



encroachments have been removed and final order has already been passed in connection with encroachment case no. 8 of 2022 has been filed. He further submitted that the petitioner, if aggrieved by the said order, has remedy of appeal before the Collector, Samastipur.

5. Considering the submission made by rival parties as well as the specific submission made by the petitioner, the aggrieved parties are directed to file appeal as per the provisions of Section 11 of the Act, 1956. The District Magistrate is directed to pass reasoned order after giving opportunity of hearing, in the appeal filed by the aggrieved party, if any, the same be disposed of within a period of six weeks in accordance with law.

6. Accordingly, the present writ petition, is disposed of.

(Purnendu Singh, J)

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