

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18544 of 2017

=====

Madan Mohan Upadhyay Son of Late Kamala Upadhyay, Resident of Village-
Rampur Chhaparahiya, P.S.- Gobindganj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Collector of District East Champaran.
3. The Circle Officer, Areraj, East Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Umesh Tiwari
For the Respondent/s : Mr.Md.Khurshid Alam -Aag12

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-04-2023 The present petition has been filed seeking the
following relief :-

*“(i) For issuance of a Writ in the nature of
Mandamus, commanding the respondents to
initiate the proceeding against encroachers
after holding enquiry about their identity and
to get the encroachment removed according
to due process of law under the Bihar Public
Land Encroachment Act from Public Road
situated and running through land of Plot
No.359 from Bathan of Ex-Mukhiya Amit
Kumar of Village-Rampur Chhaparahiya to
Village- Rampurwa over both sides of road
by various encroachers and whereabouts is
not known to the petitioner.”*

At the outset, the learned counsel for the



respondent- State has submitted that the Circle Officer, Areraj, East Champaran has already initiated encroachment proceedings vide Encroachment case no. 09 of 2018-19 and the same would be taken to its logical conclusion within a stipulated time frame.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to dispose off the present writ petition with a direction to the Circle Officer, Areraj, East Champaran to dispose off 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, if not already disposed off, within a period of six weeks from today.

(Mohit Kumar Shah, J)

rinkee/-

U			
---	--	--	--

