

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3846 of 2023

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Bahadur Mandal son of Late Sukhdev Mandal, resident of Village -
Shankarpur, P.S. - Sakri, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Revenue Department, Government of Bihar, Patna.
2. The Secretary, Land Reforms, Government of Bihar, Patna.
3. The District Collector, Madhubani, District - Madhubani.
4. The Additional Collector, Madhubani, District - Madhubani.
5. The Sub-Divisional Officer Madhubani, District - Madhubani.
6. The Deputy Collector, Land Reforms, Madhubani, District - Madhubani.
7. The Circle Officer, Circle Rahika, District - Madhubani.
8. The District Education Officer, Madhubani, District - Madhubani.
9. The Block Education Officer, Rahika Block, District - Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Subhash Kumar Jha
For the Respondent/s	:	Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-10-2023 The present writ petition has been filed seeking the
following relief:-

“1. That the present application is being filed to
issue a writ in the nature of mandamus
commanding the Respondent Authorities to
remove the encroachment from the public land at
Mauza :- Salha, Block and Anchal :- Rahika,
Thana No. :- 87, under Village :- Shankarpur, P.S.
- Sakari, District :- Madhubani, Khata No. :- 03
and 04, Khesra No. :- 29 and 31, Rakwa about 7
Katha and Khatha No. 4, Khesra No.:- 29,



recorded as Sarvsadharan Khash and Aam which are the land of Government School and Temple of Radhakrishna and Bajranbali respectively and most part of the said land have been encroached for which petitioner, villager and authorities have been submitted several application before the concerned authorities, but no any action as yet.”

2. At the outset, the learned counsel for the petitioner submits that the Circle Officer, Rahika, District-Madhubani, has already initiated encroachment proceedings, hence, the same be directed to be concluded within a fixed time frame.

3. The learned counsel for the Respondent-State submits that in case, encroachment proceedings have already been initiated and are still pending, the same would definitely be disposed off within a stipulated time frame.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present writ petition with a direction to the Circle Officer, Rahika, District-Madhubani, to conclude the pending encroachment proceedings, in case the same has been initiated and is still pending, with regard to land in question, by passing the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, after hearing the affected parties and in accordance with law,



within a period of eight weeks of receipt / production of a copy
of this order.

(Mohit Kumar Shah, J)

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