

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5412 of 2023

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Ramchandra Sahu @ Ramchandrar Sahu Son of Late Kailu Sahu @ Sri Sahu
Resident of village - Hirniya, ward no. 2, P.S.- Rosera, Dist. - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms
Deptt. Govt. of Bihar, Patna.
2. The Director, Revenue and Land Reforms Deptt. Govt. of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Circle Officer, Rosera, Dist. - Samastipur.
5. Budhu Ram Son of Late Sundar Ram.
6. Vinod Ram Son of Late Sundar Ram.
7. Ramchandra Ram Son of Late Sundar Ram.
8. Nandan Ram Son of Late Nepal Ram @ Nepal Mochi.
9. Suresh Ram Son of Late Nepal Ram @ Nepal Mochi.
10. Budhan Ram Son of Late Mund Ram.
11. Rambilash Ram Son of Late Mund Ram.
12. Mahabir Ram Son of Late Mund Ram.
13. Ramudga Ram Son of Late Mund Ram.
14. Gago Ram @ Gajendra Ram Son of Late Sarlahu Ram.
15. Sitaram Ram Son of Late Jageshwar Ram.
16. Bhatu Ram Son of Late Jageshwar Ram.
17. Dularchand Ram Son of Late Jageshwar Ram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-10-2023 1. The present writ petition has been filed seeking the
following relief(s):-

“1. That this application is being filed for



issuance of appropriate writ in the nature of Mandamus direction to Respondents to remove illegal encroachment from the public road bearing Khesra No. 9955 old 1190 new Mauza Hirmiya, Thana and Anchal Rosera, Dist-Samastipur from the possession of encroachers i.e Respondent No. 5 to 17 and any other appropriate writ, order save and except in accordance with law.”

2. At the outset, the learned counsel for the respondent-State has submitted by referring to the counter affidavit, filed in the present case that the Circle Officer, Rosera (Samastipur) has already initiated an encroachment proceeding, vide Encroachment Case No.08 of 2019, and in case the same has not been concluded, the same shall taken its logical conclusion, within a fixed frame.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Rosera (Samastipur) to conclude the proceeding of the aforesaid Encroachment Case No.08 of 2019, in case the same has not yet been concluded, 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 six weeks of receipt/production of a copy of this order.



4. The writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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