

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5388 of 2023

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Rajdev Mahato @ Rajdev Prasad S/o BHadai Mahato Resident of Village-
Kuarapati, Machhar Ganw, P.S.-Yogapatti, Dist.-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-Cum-District Magistrate, West Champaran at Bettiah.
2. The Collector-Cum-District Magistrate, West Champaran at Bettiah. West Champaran at Bettiah.
3. The Additional Collector, Bettiah, West Champaran.
4. The Sub-Divisional Officer, Bettiah, Sadar, Battiah, West Champaran.
5. The Circle Officer, Yogapatti Block, Yogapatti, District-West Champaran.
6. The Superintendent of Police, Bettiah, West Champaran.
7. The Officer-in-Charge, Yogapatti, Police Station, Yogapatti, District-West Champaran.
8. Ramayan Mahato S/o Late Sita Ram Mahato Resident of Village-Kuarapati, P.S.-Yogapatti, Dist.-West Champaran.
9. Dukhi Mahato S/o Late Sita Ram Mahato Resident of Village-Kuarapati, P.S.-Yogapatti, Dist.-West Champaran.
10. Bulat Kumar S/o Late Madan Mahto, Resident of Village-Kuarapati, P.S.-Yogapatti, Dist.-West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.
For the Respondent/s : Mr.Rishi Raj Sinha, SC-19
Mr. Atul Shankar, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-04-2023 The present writ petition has been filed seeking the
following relief:-

“1(A). For issuance of a writ in the
nature of mandamus or any other appropriate



writ, order/s, directions commanding the respondents to remove all encroachments done by the private respondents from a piece of Gairmajarua Aam Land (Public Road), appertaining to khata no. 13, plot no. 120 measuring 68 decimal falling within Kuarapati Mauza of Yogapatti Block under West Champaran District as the land in question is a public road and the encroachments done by the private respondents are causing serious inconvenience to the public at large and the petitioner in particular.”

At the outset, the learned counsel for the petitioner has submitted that the Circle Officer, Yogapatti Block, District-West Champaran, has already initiated encroachment proceedings vide Encroachment Case No. 5 of 2021-22, hence, the same be directed to be concluded within a fixed time frame.

Having regard to the limited prayer made by the learned counsel for the petitioner, I deem it fit and proper to direct the Circle Officer, Yogapatti Block, District-West Champaran, to conclude the proceedings of the aforesaid Encroachment Case No. 5 of 2021-22, 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, within a period of six weeks from today and accordingly, take the consequential action.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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