

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5772 of 2023

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Yogendra Paswan Son of Late Jharu Paswan Resident of Village- Narsimha,
Police Station- Hathouri, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Samastipur.
3. The Anchal Adhikari, Shivajee Nagar, District- Samastipur.
4. Ranjit Ram, Son of Ramprit Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
5. Jagdish Ram, Son of Boun Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
6. Madan Ram, Son of Boun Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
7. Suraj Ram, Son of Beni Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
8. Raja Ram, Son of Beni Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
9. Sikendra Ram, Son of Late Tapeswar Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
10. Birendra Ram, Son of Late Tapeswar Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
11. Jai Kumar Ram, Son of Ramprit Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
12. Sanjeet Ram, Son of Ramprit Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
13. Arbind Ram, Son of Jagdish Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
14. Pawan Ram, Son of Kewal Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
15. Anil Ram, Son of Kewal Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
16. Sunil Ram, Son of Kewal Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
17. Hari Kishun Ram, Son of Madhukar Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.
18. Rama Ram, Son of Madhukar Ram Resident of Village- Narsimha, Police Station- Hathouri, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kamala Kant Tiwary
For the Respondent/s : Mr.Sajid Salim Khan (Sc 25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-10-2023 The present writ petition has been filed seeking the following relief:-

“1. That, issuance this is an application for issuance of appropriate writs, orders and directions against the respondents to remove the encroachment from encroachers/ respondent no.4 to 18 from public rasta i.e. Khata No.513, Plot No. 1268 having area 0.62 decimals land situated in Village Mauza- Dumra Mohan, P.S. No.17, Police Station-Shivajee Nagar, District-Samastipur and be pleased to finalize the Encroachment Case no.11/2019-20 to its logical conclusion and be further pleased to grant any other relief (s) for which the petitioner is found entitled to.”

2. At the outset, the learned counsel for the Respondent-State submits that an encroachment proceeding has already been initiated, vide Encroachment Case No. 11 of 2019-20, by the Circle Officer, Shivajee Nagar, District-Samastipur, hence, the needful shall be done, in accordance with law, forthwith.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the District Magistrate,



Samastipur, to enquire into the matter and ensure that the aforesaid Encroachment Case No. 11 of 2019-20 is taken to its logical conclusion by the Circle Officer, Shivajee Nagar, District-Samastipur, after hearing the affected parties and in accordance with law, in case the same has not already been concluded, whereafter, appropriate consequential action shall also be taken forthwith. The entire exercise is directed to be concluded within a period of six weeks of receipt / production of a copy of this order.

4. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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