

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6634 of 2023

1. Kusum Lal Mehta Son of Nand Kishor Mehta, Resident of Village- Ganeshpur, Near, Prathmik School, P.O- Ganeshpur (Puraini) P.S Puraini, District- Madhepura.
2. Ful Devi, Wife of Shrawan Mukhiya, Resident of Village- Ganeshpur P.O- Ganeshpur (Puraini) P.S Puraini, District- Madhepura.
3. Bibhuti Kumar Son of Late Nakuldeo Kumar, Resident of Village- Ganeshpur P.O- Ganeshpur (Puraini) P.S Puraini, District- Madhepura.
4. Mairun Khatun Wife of Md. Jainul, Resident of Village- Ganeshpur P.O- Ganeshpur (Puraini) P.S Puraini, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Land and Revenue, Government of Bihar, Patna.
3. The District Collector, Madhepura, P.S- Madhepura, District- Madhepura.
4. The Circle Officer, Puraini, P.S- Puraini, District- Madhepura.
5. The Circle Amin, Puraini, P.S- Puraini, District- Madhepura.
6. The Revenue Clerk, Mauza- Ganeshpur, Circle- Puraini, P.S- Puraini, District- Madhepura.
7. Yogi Paswan Son of Late Dorki Paswan Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.
8. Nago Paswan Son of Late Dorki Paswan Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.
9. Sunita Devi Wife of Late Umesh Paswan, Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.
10. Banni Paswan Son of Late Sukhdeo Paswan, Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.
11. Surendra Paswan Son of Indradeo Paswan, Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.
12. Dharmraj Paswan Son of Late Debo Paswan, Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.
13. Shimla Devi Wife of Late Banarasi Paswan, Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.
14. Upendra Paswan Son of late Bhola Paswan, Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.
15. Gulab Chandra Paswan Son of Late Kulo Paswan, Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.
16. Kapeshwar Paswan Son of Fulchandra Paswan, Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.



17. Ghanshyam Paswan Son of late Shivan Paswan, Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.
18. Dinesh Paswan Son of Late Shivan Paswan, Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.
19. Vijay Paswan Son of Late Bechu Paswan, Resident of Village- Ganeshpur, P.O- Ganeshpur (Puraini) P.S- Puraini, District- Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (GP-18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-10-2023 The present writ petition has been filed
seeking the following relief:-

“1.That this Writ application is directed for issuance of a Writ in the nature of Mandamus or any other appropriate order or direction commanding the respondents to direct the respondent Nos. 3 and 4 to take appropriate steps/action for passing the order in Encroachment Case No. 6/2022-23 and for removing the encroachment on the land bearing Mauza-Ganeshpur, Thana No. 142, Khata No. 564, Khesra No. 2115, Circle-Puraini, P.S- Puraini, District- Madhepura which is a government road connecting the Village- Ganeshpur and the village Orai crossing adjacent to the



land of the petitioner bearing Mauza-Ganeshpur, Circle-Puraini, District- Madhepura Thana No. 142, Khata Nos. 370, 205, Khesra Nos. 1254, 1259 illegally encroached by the respondent Nos. 7 to 19.”

2. At the outset, the learned counsel for the petitioners has limited his prayer to issuance of direction to the Circle Officer, Puraini, District-Madhepura for concluding the proceedings of the pending Encroachment Case No. 6 of 2022-23.

3. The learned counsel for the respondent-State submits that in case the proceedings of the aforesaid Encroachment Case No. 6 of 2022-23 has not been concluded, the same would definitely be concluded within a fixed time frame, as prescribed by this Court.

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, Puraini District-Madhepura to dispose off the aforesaid Encroachment Case No. 6 of 2022-23, if the same



has not already been disposed off, 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.

(Mohit Kumar Shah, J)

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