

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8286 of 2022

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Shail Devi @ Shaili Mandal Wife of Rajeshwar Mandal Resident of Village- Srikhandi Bhiththa Toley Nawahi, Police Station- Sursand, District- Sitamarhi, Presently residing at F- 421, Gali No.- 6/1, Wazirabad, Village- North Delhi, Delhi- 110084.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Collector Patna.
4. The Land Reforms Deputy Collector Pupri, District- Sitamarhi.
5. The Land Reforms Deputy Collector Pupri, District- Sitamarhi.
6. Ram Prasad Ram Son of Kishori Ram Resident of Village- Srikhandi Bhiththa Toley Nawahi, Police Station- Sursand, District- Sitamarhi.
7. Soman Raut Son of Chedi Raut Resident of Village- Srikhandi Bhiththa Toley Nawahi, Police Station- Sursand, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Murlidhar Mishra, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC 19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 21-08-2023 1. The present petition has been filed seeking the following relief :-

“(i) For issuance of an appropriate writ/writs, order/orders, direction/ directions to the Respondent Nos.3 to 5 to carry out the order dated 8.2.2016 passed by the Respondent No.4 namely the Land Reforms Deputy Collector, Pupri, District-Sitamarhi in Miscellaneous Case No.04/2015-16, directing the Respondents to remove the



house constructed over 10 (Ten) decimals of land appertaining to Village-Seikhandi Bhiththa Toley Nawahi, Khata No.516, Kheara No.5032, Police Station & Circle Sursand, District-Sitamarhi therefrom themselves within 15 days failing which it has been said that the same shall be demolished through judicial process. “

2. At the outset, the learned counsel for the respondent State submits that substantial portion of the encroachment in question has already been removed, however, one Jamabandi and Bandobasti Cancellation case bearing Jamabandi Cancellation case no. 7 of 2022-23 is pending before the Additional Collector, Land Reforms, Sitamarhi, which shall be concluded forthwith and then the consequential action shall be taken, accordingly.

3. In view of the aforesaid, the learned counsel for the petitioner seeks a direction upon the Additional Collector, Land Reforms, Sitamarhi to dispose off the aforesaid Jamabandi Cancellation case no. 7 of 2022-23.

4. Having regard to the facts and circumstances of the case, I deem it fit and appropriate to direct the Additional Collector, Land Reforms, Sitamarhi to conclude the proceedings



of the aforesaid Jamabandi Cancellation case, by passing the final order, 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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