

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8022 of 2023

=====

Santosh Kumar son of Rambrichh Prasad Gupta, Resident of Village
Raniganj, P.S.-Imamganj, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Sub-Divisional Officer Sherghati, Gaya.
4. The Land Reforms Deputy Collector, Sherghati, Gaya.
5. The Anchal Adhikari Imamganj, Gaya.
6. The Officer Incharge of Imamganj Police Station, Gaya.
7. Rahul Kumar Saundik, son of Nawal Kishore Saundik, Resident of Village Raniganj, P.s.-Imamganj, District-Gaya.
8. Ravi Kumar Saundik, son of Nawal Kishore Saundik, Resident of Village Raniganj, P.s.-Imamganj, District-Gaya.
9. Rajiv Kumar Saundik, son of Nawal Kishore Saundik, Resident of Village Raniganj, P.s.-Imamganj, District-Gaya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad Sinha, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC-19)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-07-2023 1. The present writ petition has been filed
seeking the following relief:-

*“1. That the present application is
being filed for issuance of
appropriate writ, order or direction
for directing to the respondents
specially the Respondent no. 5 the
Anchal Adhikari, Imamganj for
removal of encroachment from the*



land of R.S. Khata No. 245, Khesra No. 272 having an area of 2 decimals which is recorded as Anabad Sarv Sadharan in R.S. Khesra situated in village-Raniganj P.S.-Imamganj, Thana No. 326 Kachahri Gate in the District of Gaya over which a Pucka well is situated which is being used for drinking water of the villagers and also being used for irrigational purposes which has been encroached by the Private Respondents no. 7 to 9 by feeling the Pucka without any authority of law for which an Encroachment Case No. 03/19-20 has been initiated against private Respondents but till today the encroachment has not been removed for the reason best known to the Respondents and as such the action of the Respondents is not sustainable in law and thus vitiated."

2. At the outset, the learned counsel for the petitioner has pointed out that not only the final order under Section 6(1) of the Bihar Public Land



Encroachment Act, 1956 has been passed in connection with Encroachment Case No. 3 of 2019-20, initiated by the Circle Officer, Imamganj, District-Gaya but notices under Section 6(2) of the Bihar Public Land Encroachment Act, 1956 have also been issued to the private respondents and others, hence the Circle Officer, Imamganj be directed to take appropriate action, in accordance with law and remove the encroachment in question.

3. It is directed accordingly.
4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

