

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14855 of 2013

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Md. Wahabuddin Jafri Son Of Late Abdul Sattar Resident Of Mohalla
Banauliya, Biharsharif, P.S. Bihar, District Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate, Nalanda.
3. The District Fisheries Officer, Nalanda.
4. The Block Development Officer, Biharsharif, Nalanda.
5. The Circle Officer, Biharsharif.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amar Nath Singh, Advocate
For the Respondent/s : Mr.Rakesh Kr Samrendra, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 19-04-2023 In pursuance to the earlier order of this Court dated

14.03.2023, the District Magistrate, Nalanda at Biharsharif has

filed a supplementary counter affidavit, wherein it has been

stated that action is being taken against the erring officials and

as far as the encroachment in question is concerned, the same

has stood vacated and the encroachers have been removed,

which is not disputed by the learned counsel appearing for the

petitioner.

As far as the pending cases are concerned, it is

submitted that out of 51 encroachment cases pertaining to which

writ petitions are pending before this Court, the final order

under *Section 6(1) of Bihar Public Land Encroachment Act*,



1956 has been passed in 46 cases and in 19 cases, encroachment has also been removed, however, steps are being taken in other cases to remove the encroachment, nonetheless, the fact remains that in 07 of the said cases, stay orders, granted by the Hon'ble Court is operating in favour of the petitioners of the said cases, case numbers whereof, would be supplied to this Court by tomorrow. As far as the remaining 261 encroachment cases are concerned, steps are being taken to conclude the same, expeditiously.

In view of the aforesaid, this Court directs the District Magistrate Nalanda to monitor the progress of the encroachment cases, pending in the District of Nalanda and ensure their conclusion forthwith. Moreover, as far as the present case is concerned, the encroachment has already stood removed, hence, this Court is of the view that now nothing survives for consideration in the present writ petition.

Accordingly, the present writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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