

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9569 of 2022

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Ratan Choudhary @ Ratan Kumar Choudhary S/o Late Singeshwar Choudhary, R/o Village - Bharat Kol, P.O. - Roshana, P.S. - Amadabad, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through its the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Collector, Katihar.
3. The Superintendent Engineer, Mahanada Flood Control, Katihar Circle, District - Katihar.
4. The Executive Engineer, Mahananda Flood Control Department, District - Katihar.
5. The Sub-Divisional Officer, Manihari, Katihar.
6. The Circle Officer, Amadabad, Katihar.
7. The Junior Engineer, Mahanada Flood Control, Department, District - Katihar.
8. Sitab Ali, Son of Late Lokmar, Resident of Village - Bharat Kol Roshana, P.S. Pranpur, District - Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah @ Baranwal, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC 19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-04-2023 The present petition has been filed seeking the following relief :-

“(i) For issuance of a writ in the nature of "Mandamus" commanding and directing the Respondent authority to remove the encroachment made by the Respondent No.8 over the government land situated at Mauza Roshana Mal, bearing Thana no.223,Khata no. 152, Khesra no.141,Rakawa- 3 decimal



in District-Katihar which is the part of Mahananda Flood control area and due to encroachment it cause harm to the petitioner and other resident of that area.”

At the outset, the learned counsel for the respondent- State has submitted that an encroachment proceeding vide Encroachment case no. 11 of 2019-20 has already been initiated by the Circle Officer, Amadabad, Katihar, hence, the same would be brought to its logical conclusion, within a fixed time frame.

Accordingly, the present writ petition stands disposed off, however with a direction to the Circle Officer, Amadabad, Katihar to dispose off the aforesaid encroachment case by passing the final order under ***Section 6(1) of the Bihar Public Land Encroachment Act, 1956***, in accordance with law and after hearing the affected parties, within a period of six weeks of receipt/ production of a copy of this order, whereafter the consequential action shall also be taken, forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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