

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9873 of 2022

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1. Suresh Prasad Singh son of Gangadhari Singh, resident of Village Kanauli, Post Office Janhara, Police Station-Rajpur, District Buxar.
 2. Rama Shankar Ray, son of Late Bibhuti Ray, resident of Village Kanauli, Post Office Janhara, Police Station-Rajpur, District Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Buxar.
2. The Sub-Divisional Magistrate, Buxar.
3. The Circle Officer, Buxar.
4. The Sub Divisional Public Grievances Redressal Officer, Buxar.
5. Uma Shankar Singh, son of Shri Bhagwan Singh, resident of Village-Kanauli, Post Office Ganhara, Police Station Rajpur, District Buxar.
6. Rama Shankar Singh, son of Shri Bhagwan Singh, resident of Village-Kanauli, Post Office Ganhara, Police Station Rajpur, District Buxar.
7. Uday Narayan Singh, son of Shri Bhagwan Singh, resident of Village-Kanauli, Post Office Ganhara, Police Station Rajpur, District Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Najmul Hoda, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-04-2023 Though the present writ petition has been filed for removal of encroachment made over the public road/drain, however, it is informed that the Circle Officer, Buxar has already initiated encroachment proceedings vide Encroachment Case No.176 of 2019-20. In such view of the matter, the learned counsel for the petitioners prays that the said encroachment case be directed to be taken to its logical conclusion.

The learned counsel for the respondent-State submits



that in case the aforesaid encroachment proceedings are still pending, the same shall be concluded, within a fixed time frame.

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, Buxar to conclude the proceedings of 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, in case the same has not been passed, within a period of six weeks of receipt/production of a copy of this order, whereafter the consequential action shall be taken, forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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