

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9955 of 2023

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Mokhtar Ali Son of Late Habib Miyan Resident of Village Bamshi Batraha,
P.S. and Anchal-Phulwariya, Distirct-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Cum Principal Sectary, Department of Revenue and Land Reforms, Govt of Bihar, Patna-15.
2. The Additional Chief Secretary Cum Principal Sectary, Department of Revenue and Land Reforms, Govt of Bihar, Patna-15.
3. The Collector Cum District Magistrate, Gopalganj.
4. The Additional Collector, Gopalganj.
5. The Sub-Divisional Officer Hathua, District-Gopalganj.
6. The Circle officer (Anchal Adhikari) Phulwariya, District-Gopalganj.
7. Naresh Mahto Son of Kola Mahto Village-Bamshi Batraha, P.S. and Anchal-Phulwariya, District-Gopalganj.
8. Gauri Mahto Son of Late Thag Mahto Village-Bamshi Batraha, P.S. and Anchal-Phulwariya, District-Gopalganj.
9. Ram Nath Mahto Son of Kola Mahto Village-Bamshi Batraha, P.S. and Anchal-Phulwariya, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Bhakta
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 28-11-2023 Heard the parties.

2. This application has been filed on behalf of the petitioner praying for a direction to the respondent No. 06 (Circle Officer, Phulwariya, Gopalganj) for initiating an encroachment proceeding under the Bihar Public Land Encroachment Act, 1956 from the public land bearing Plot No. 348, Khata No. 87, Mauza- Banshi Batraha.

3. Learned counsel for the petitioner submits that for



an encroachment, one application dated 13.06.2022 has been filed before the Circle Officer, Phulwariya, Gopalganj but no encroachment proceeding has been initiated against the encroachers i.e. respondent Nos. 7 to 9.

4. In these circumstances, the Circle Officer, Phulwariya, Gopalganj is directed to initiate an appropriate encroachment proceeding in accordance with law under the Bihar Public Land Encroachment Act, 1956 against respondent Nos. 7 to 9 and any such other person who is found to have encroached the public land and after hearing the respondent Nos. 7 to 9 and others he will dispose of the encroachment proceeding and the same shall be disposed of within a period of three months from the date of receipt/communication of this order.

5. With the aforesaid directions, this application is disposed of.

6. Let a copy of this order be communicated to the District Magistrate, Gopalganj through FAX and e-Mail for its compliance forthwith.

(Sandeep Kumar, J)

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