

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9505 of 2023

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Rajendra Singh Son of Late Balram Singh, Resident of Village - Nawanagar,
Police Station - Gajrajganj, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Bhojpur.
2. The District Magistrate, Bhojpur at Ara.
3. The Superintendent of Police, Bhojpur Ara.
4. The Additional District Magistrate-cum- The District State Appellate Authority, Bhojpur, Ara.
5. The Sub Divisional Officer, Sadar Ara, Bhojpur.
6. The District Veterinary Officer, Bhojpur, Ara.
7. The Additional District Magistrate-cum-1st Appellate Authority Public Complaint Cell, Bhojpur, Ara.
8. The Circle Officer, Udawant Nagar, Bhojpur, Ara.
9. The Officer Incharge, Gajrajganj, Police Station - Bhojpur.
10. Uday Narayan Singh, Son of Late Ram Govind Singh, Resident of Village-Nawanagar, Police Station - Garajganj, District - Bhojpur.
11. Radheshyam Singh, Son of Late Baleshwar Singh, Resident of Village-Nawanagar, Police Station - Garajganj, District - Bhojpur.
12. Surya Naraya Singh, Son of Late Ram Govind Singh, Resident of village-Nawanagar, Police Station - Garajganj, District - Bhojpur.
13. Bahadur Singh, Son of Late Surya Narayan Singh, Resident of Village-Nawanagar, Police Station - Garajganj, District - Bhojpur.
14. Shiv Shankar Singh, Son of Late Sri Ram Sigh, Resident of Village-Nawanagar, Police Station - Garajganj, District - Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (SC-25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-11-2023 The present writ petition has been filed
seeking the following reliefs:-

“1.(I) (a) To direct the Respondent



to remove the encroachment from the Government land of Mauza-Udawanagar, Khata 453, Khesra No. 750/2288 Area 45 decimal in which some part of the Road land was encroached by the Respondents No. 10 to 12 by construction of the house upon the Public road indicated as road Map or Khatian.

(b) To direct the respondents to remove the encroachment from the Government land Mauza- Udawant Nagar, Khata No. 456, Khesra No. 530 Area 24 decimal the land was gifted by the ancestors of the petitioner to which Veterinary Hospital which has been encroached by the private Respondent No. 13 to 14 illegally by making boundary wall.

(c) To direct the Respondent to remove the 10 to 14 who were encroached the Government land and obstruct the Public road and land of Veterinary Hospital.”



2. At the outset, the learned counsel for the respondent-State seeks to file a counter affidavit, which is taken on record, wherein it has been stated that upon enquiry it has been found that the public road in question has been encroached by the private respondents and others, hence an encroachment proceeding bearing Encroachment Case No. 1 of 2023-24 has been initiated and notices have been issued to the encroachers. It is also submitted that one another encroachment proceeding bearing Encroachment Case No. 13 of 2023-24 has also been initiated by the Circle Officer, Udwant Nagar, District-Bhojpur and notices have been issued to the private respondents and others. Finally, it is submitted that the aforesaid two encroachment proceedings shall be taken to its logical conclusion expeditiously.

3. Having regard to the facts and circumstances of the case, I direct the Circle Officer, Udwant Nagar, District-Bhojpur to conclude the proceedings of the aforesaid Encroachment Case No. 1 of 2023-24 as also that of



Encroachment Case No. 13 of 2023-24, by passing the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, after hearing the affected parties and in accordance with law, within a period of six weeks of receipt/production of a copy of this order.

4. The writ petition stand disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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