

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9497 of 2023

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Ajay Kumar, S/o Late Kamelshwar Prasad Shrivastava, R/o Village-Shripur
Bhatwaliya P.S. Sugauli Dist.-East Champaran.

... .. Petitioner

Versus

1. The State of Bihar through the District Magistrate Motihari East Champaran
2. Sub Divisional Officer Sadar Motihari East Champaran at Motihari
3. The Circle Officer Sugauli East Champaran.
4. Dinanath Sah S/o Late Shivmangal sah.
5. Yamuna Sah S/o Late Raghunath Sah.
Both resident of village-Shripur Bhatwaliya, P.S.-Sugauli Dist.-East
Champaran.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No. 2, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-11-2023

Heard the parties.

2. In this case, the petitioner seeks a direction to the respondents to remove the encroachment from the public road after initiating proper proceeding against the encroachers.

3. It has been submitted by learned counsel for the petitioner that for removal of encroachment the petitioner has filed an application dated 06.12.2022 before the Circle Officer, Sugauli, East Champaran, which is still pending.

4. The Circle Officer, Sugauli, East Champaran, is directed to consider the pending application dated 06.12.2022 (Annexure-1 to this application) filed by the



petitioner. If any encroachment is found then an encroachment case shall be initiated by him and the same shall be disposed of after hearing all the affected parties including the petitioner. The aforesaid exercise must be completed by the Circle Officer within six months from the date of receipt/production of a copy of this order.

5. With the aforesaid observations and directions, this writ application stands disposed of.

6. Let a copy of this order be communicated to the District Magistrate, East Champaran, Motihari forthwith for its compliance.

(Sandeep Kumar, J)

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