

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9969 of 2023

Abina Praween Daughter of Md. Usman, resident of Village-Haripur, Ward No. -11, Harpur, P.S.-Sonbarsa Raj, P.O.-Jalsima, Saharsa, Bihar-852217.

... .. Petitioner/s

Versus

1. State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. District Magistrate, Saharsa.
3. Sub-Divisional Officer, Simri Bakhtiyarpur, Saharsa.
4. Deputy Collector Land Reforms, Saharsa.
5. Circle Officer, Circle Office-Sonbarsa Raj, Saharsa.
6. S.H.O. Sonbarsa Raj P.S. Saharsa.
7. Md. Qayam son of Late Fudan, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
8. Md. Fujal Ahmad, son of Late Fudan, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
9. Md. Firoz, son of Late Fudan, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
10. Md. Saheb, son of Md. Sakur, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
11. Md. Noor Hasan, son of Md. Sakur, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
12. Md. Sajami, son of Md. Sakur, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
13. Md. Mustkim, son of Md. Anis, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
14. Md. Tesam, son of Md. Anis, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
15. Md. Mobin, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
16. Md. Sohaib Naddaf, son of Md. Jhakas, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
17. Md. Jabbar, son of Md. Afiz, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
18. Ram Balak Mandal, son of Late Kishun Mandal, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
19. Kartik Mandal, son of Late Pyare Mandal, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
20. Mahendra Mukhiya, son of Late Bishundeo Mukhiya, resident of Village-Haripur, P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.
21. Parmeshwari Mukhiya, son of Jagdish Mukhiya, resident of Village-Haripur,



P.O.-Jalsima, P.S.-Sonbarsa Raj, District-Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dr. Pankaj
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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. 05 (Circle Officer, Sonbarsa, Saharsa) for initiating an encroachment proceeding under the Bihar Public Land Encroachment Act, 1956 from the public land bearing Thana No. 7, Khata No. 385, Plot Nos. 1742, 1945, 1943m which is being used a main road of Haripur village, Sonbarsa Circle.

3. Learned counsel for the petitioner submits that for an encroachment, one application dated 10.04.2023 has been filed before the District Magistrate, Saharsa but no action has been taken against the encroachers i.e. respondent Nos. 7 to 21.

4. In these circumstances, the Circle Officer, Sonbarsa, Saharsa 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 21 and any such other person who is found to have encroached the public land and after hearing the respondent



Nos. 7 to 21 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, Saharsa through FAX and e-Mail for its compliance forthwith.

(Sandeep Kumar, J)

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