

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15622 of 2013

Md. Asruddin son of Late Maniruddin Resident of Mohalla- Kona Sarai,
Police Station- Laheri in the District of Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department, Government of Bihar, Patna
2. The Principal Secretary, Revenue Department, Government of Bihar, Patna
3. The Home Secretary, Department of Home, Government of Bihar, Patna
4. The District Magistrate-cum-Collector, Nalanda
5. The Sub-Divisional Officer, Nalanda at Biharsharif
6. The Circle Officer, Biharsharif in the District of Nalanda
7. Sanjay Yadav son of Late Bijendra Gope Resident of Mohalla- Puna Sarai, P.S. - Laheri in The District of Nalanda
8. Arun Mahto son of Late Pachu Mahto Resident of Mohalla - Puna Sarai, P.S. - Laheri in the District of Nalanda
9. Bhola Sao son of Late Jagdish Sao Resident of Mohalla- Puna Sarai, P.S. - Laheri In the District of Nalanda
10. Garvu Yadav son of Tikar Yadav Resident of Mohalla- Puna Sarai, P.S. - Laheri in the District of Nalanda
11. Sumitra Devi wife of Harischandra Ravidas Resident of Mohalla- Puna Sarai, P.S. - Laheri in the District of Nalanda
12. Yadu Prasad son of Late Bhikhan Prasad Resident of Mohalla- Puna Sarai, P.S. - Laheri in the District of Nalanda
13. Md. Naushad Alam son of Late Ushman Gani Resident of Mohalla- Puna Sarai, P.S. - Laheri tn the District of Nalanda
14. Md. Irshad Alam son of Late Ushman Gani Resident of Mohalla- Puna Sarai, P.S. - Laheri in the District of Nalanda

... .. Respondent/s

Appearance:

For the Petitioner/s : Mr.Sunil Kumar, Advocate
For the Respondent/s : Mr.Kaushal Kr Jha Aag-14

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-02-2023 The present writ petition has been filed
seeking the following reliefs:-



“1.(i) To direct the State Respondents to remove the Encroachment from the land of Graveyard bearing Khata No. 185, Plot No. 208, Thana No. 123, Mauza-Kona Sarai which has been encroached by the Respondents No. 7 to 14 by constructing house/stairs etc. over the land of Graveyard as mentioned above.

(ii) Also to direct the State respondents to take legal action against the encroachers i.e. Respondents No. 7 to 14 who have illegally encroached the land of Graveyard as mentioned above.”

At the outset, it has been pointed out by the learned counsel for the parties that though an Encroachment Case bearing Encroachment Case No. 03 of 2013-14, was initiated by the Circle Officer, Biharsharif, District-Nalanda, however, they are not knowing about the present position of the same.

In view of the aforesaid, I deem it fit and proper to dispose off the present writ petition with a direction to the Circle Officer, Biharsharif,



District-Nalanda to conclude the proceedings of the aforesaid Encroachment Case, in case the same has not already been taken to its logical conclusion by passing appropriate orders under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks from today, after hearing the effected parties and in accordance with law.

(Mohit Kumar Shah, J)

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