

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10740 of 2023

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Mahendar Saw Son of Shival Saw @ Sivaql Saw, Resident of Village-
Salempur, Post- Diha, Anchal- Tharthari, P.S. Tharthari, District- Nalanda.

.. ... Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Old Secretariat, Patna
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Old Secretariat, Patna.
3. The Commissioner, Patna Division, Patna.
4. The District Magistrate, Nalanda.
5. The Superintendent of Police, Nalanda.
6. The Sub-Divisional Officer, Hilsa, Nalanda.
7. The Additional Collector, Nalanda.
8. The Circle Officer, Tharthari, Nalanda.
9. The Officer Incharge Tharthari, Nalanda.
10. The Halka Karamchari Tharthari, Nalanda.
11. Jawahar Saw S/o. Late Badri Saw Resident of Village - Salempur, Post - Diha, Anchal Tharthari, P.S. - Tharthari, District -Nalanda.
12. Dharmendra Saw S/o. Jawahar Saw Resident of Village - Salempur, Post - Diha, Anchal Tharthari, P.S. - Tharthari, District -Nalanda.

... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manish. Advocate
For the Respondent/s : Mr.Sajid Salim Khan (SC 25)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-11-2023

Heard the parties.

2. This application has been filed to command the respondents to get remove the encroachment from the private respondents upon the land belonging to Khata No. 11, Khesra No. 191 in light of Memo No. 539 dated 08.06.2018 issued by the Circle Officer, Tharthari, Nalanda.

3. The petitioner submits that the public road has been



encroached by the private respondents and no encroachment proceeding has been initiated against private respondents.

4. The petitioner is permitted to move before the Circle Officer, Tharthari, Nalanda for redressal of his grievances.

5. If the Circle Officer, Tharthari, Nalanda finds the encroachment, he may initiate encroachment proceeding in accordance with law and pass the Final order against the encroachers. After passing the Final order against the encroachers, the Circle Officer, Tharthari, Nalanda will wait for another thirty days for allowing the encroachers to file an appeal as prescribed under the Act and then only he will proceed against encroachers.

6. With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

Harsh/

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