

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4909 of 2023

Kumari Chanchala Sinha @ Kumari Chanla W/O Sri Prem Kumar, R/O-
Jaiswal Market, Main Road, Ward No.16, P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Land Reforms, Bihar, Patna.
3. The District Magistrate, Nalanda.
4. The Sub-Divisional Officer, Hilsa, Nalanda.
5. The Circle officer, Hilsa, Nalanda.
6. Nawal Yadav S/O Late Ramjee Yadav, R/O- Jaiswal Market, Main Road,
Ward No.16, P. S. Hilsa, District- Nalanda.
7. Kamal Kishore Prasad S/O Kaushal R/O- Jaiswal Market, Main Road, Ward
No.16, P. S. Hilsa, District- Nalanda.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 17231 of 2021

Kamal Kishore Prasad Son of Late Kaushal Kishore Prasad Singh, Resident
of Village-Diripar, P.S.-Chiksaura, District-Nalanda, at present resident of
Mohalla-Ward No. 19, Jaiswal Market, Main Road, Hilsa, P.S.-Hilsa, District-
Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate-cum-Collector, Nalanda at Biharsharif.
3. The Sub-Divisional Officer, Hilsa, District-Nalanda.
4. The Sub Divisional Public Complaint Redressal Officer, Hilsa, Nalanda.
5. The Deputy Collector of Land Reform, Hilsa, District-Nalanda.
6. The Circle Officer, Hilsa, District-Nalanda.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 4909 of 2023)

For the Petitioner/s : Mr.Rakesh Kumar, Advocate

For the Respondent/s : Mr.Rishi Raj Sinha (Standing Counsel- 19)

(In Civil Writ Jurisdiction Case No. 17231 of 2021)

For the Petitioner/s : Mr.Bhola Kumar, Advocate

For the Respondent/s : Mr.Sajid Salim Khan (Standing Counsel-25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 11-05-2023

As far as the first case is concerned, the
same has been filed for removing the



encroachment from the public land situated at Thana No. 177, Khata No. 316, Khesra No. 2535, Ward No. 16, Survey Khatiyar Gair Majarua Malik Parti Kadim land, situated near Jaiswal Market Main Road, Hilsa, whereas the second writ petition has been filed for quashing the notice dated 14.09.2021, issued to the petitioner under Section 6(2) of the Bihar Public Land Encroachment Act, 1956, by the Circle Officer, Hilsa.

The learned counsel for the parties have pointed out that a proceeding is already going on for cancellation of Jamabandi of the petitioner of the second case bearing Jamabandi Cancellation Case No. 60 of 2022, hence the encroachment case in question bearing Encroachment Case No. 14 of 2020-21 has been dropped, thus the second writ petition has been rendered infructuous. It is further submitted by the learned counsel appearing for the respondent-State that as soon as the aforesaid Jamabandi Cancellation proceedings are concluded, consequential action would be taken and if so warranted, fresh encroachment



proceedings shall be initiated.

At this juncture, the learned counsel appearing for the petitioner of the first case submits that the Additional Collector, Nalanda at Bihar Sharif be directed to dispose off the aforesaid Jamabandi Cancellation Case No. 60 of 2022 expeditiously. It is directed accordingly.

It is needless to state that the Additional Collector, Nalanda at Bihar Sharif shall conclude the proceedings of the aforesaid Jamabandi Cancellation Case No. 60 of 2022, after granting adequate opportunity of hearing to the petitioner of the second case and pass a reasoned and a speaking order within a period of eight weeks of receipt/production of a copy of this order, whereafter the consequential action shall be taken forthwith, by the Circle Officer, Hilsa.

The aforesaid writ petitions stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

S.Sb/sonal-

U			
---	--	--	--

