

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13200 of 2022

Navin Kumar Tiwari S/o Shatrudhan Tiwari, Resident of Village- Gonauli,
Ward No. 06, P.S.- Lauriya, Dist.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the collector-cum-District Magistrate, West Champaran at Bettiah.
2. The Collector-cum-District Magistrate, West Champaran at Bettiah.
3. The Additional Collector, Bettiah, West Champaran.
4. The Sub-Divisional Officer, Narkatiyaganj, Dist.- West Champaran.
5. The Circle Officer, Lauriya Block, Lauriya, District- West Champaran.
6. The Superintendent of Police, Bettiah, West Champaran.
7. The Officer-in-Charge, Lauriya, Police Station, Lauriya, District- West Champaran.
8. Ravindra Tiwari S/o Late Tulsi Tiwari, Resident of Village- Gunauli, P.S.- Lauriya, Dist.- West Champaran.
9. Ajay Tiwari Muniji Tiwari, Resident of Village- Gunauli, P.S.- Lauriya, Dist.- West Champaran.
10. Shambhu Tiwari S/o Late Mahanth Tiwari, Resident of Village- Gunauli, P.S.- Lauriya, Dist.- West Champaran.
11. Amresh Tiwari S/o Late Indrasan Tiwari Resident of Village- Gunauli, P.S.- Lauriya, Dist.- West Champaran.
12. Dayashankar Tiwari S/o Late Surendra Tiwari, Resident of Village- Gunauli, P.S.- Lauriya, Dist.- West Champaran.
13. Anup Tiwari S/o Bhamshankar Tiwari, Resident of Village- Gunauli, P.S.- Lauriya, Dist.- West Champaran.
14. Maksudhan Tiwari S/o Late Rajindra Tiwari, Resident of Village- Gunauli, P.S.- Lauriya, Dist.- West Champaran.
15. Badshah Tiwari S/o Late Bashisht Tiwari, Resident of Village- Gunauli, P.S.- Lauriya, Dist.- West Champaran.
16. Jagat Tiwari S/o Late Jatashankar Tiwari, Resident of Village- Gunauli, P.S.- Lauriya, Dist.- West Champaran.
17. Sonu Tiwari S/o Late Raghubar Tiwari Resident of Village- Gunauli, P.S.- Lauriya, Dist.- West Champaran.

... .. Respondent/s

Appearance :

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



CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-04-2023 The present petition has been filed seeking the following reliefs :-

“A) For issuance of an appropriate writ, order/s, direction for the following :-

- (i) To remove all encroachment done by the private respondents over a piece of Gairmajarua Aam Land (public road) appertaining to Khata no. 06, Plot no. 1205 measuring 65 decimal falling within Gonauli Mauza of Lauriya Block under West Champaran District as the land in question is a public road connecting the village in question to Sikrahna River Ghat.*
- (ii) To hold that the aforesaid land is a public road and the same has been encroached upon by the private respondents in an illegal manner.”*

At the outset, the learned counsel for the petitioner has submitted that the encroachment proceedings vide Encroachment case no. 12 of 2022-23 has already been initiated by the Circle Officer, Lauriya Block, District-West Champaran, hence, the same be directed to be concluded, expeditiously.

The learned counsel for the respondent- State submits that the aforesaid encroachment proceedings would



definitely be taken to its logical conclusion within the time frame, fixed by the Court.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to direct the Circle Officer, Lauriya Block, District-West Champaran to dispose off the aforesaid Encroachment case no. 12 of 2022-23, by passing the final order under ***Section 6(1) of the Bihar Public Land Encroachment Act, 1956***, in accordance with law and after hearing the affected parties, within a period of six weeks from today.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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