

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13344 of 2022

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Sachindra Prasad Kushwaha Son of Mahanath Prasad, Resident of Ward No-11, Chailahan Kathariya, P.O.- Chailahan, P.S.- Banjaria, District- Motihari, East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The Sub- Divisional Officer, Motihari Sadar, East Champaran, Motihari.
5. The Additional Collector, East Champaran, Motihari.
6. The Circle Officer, Banjaria, East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Saurav Singh, Advocate
For the Respondent/s	:	Mr.Raj Kishore Roy (GP 18)
For intervenor petitioner	:	Mr. Rajesh Ranjan no. I, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

“(i) For a direction upon the respondent authorities to remove encroachment from government land bearing Khesra no. 3554, Khata no. 547, Mauza-Chailaha situated in Banjaria, which is used and denoted as road for use of villagers in Survey Maps as villagers were having the problem of path.”

At the outset, the learned counsel for the petitioner has submitted that encroachment proceedings vide



Encroachment case no. 07 of 2021-22 has already been initiated by the Circle Officer, Banjaria, District- East Champaran at Motihari, 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 his 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, Banjaria, District- East Champaran at Motihari to dispose off the aforesaid Encroachment case no. 07 of 2021-22, 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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