

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11983 of 2023

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Sanjeev Kumar Mahto Son of Kaleshwar Mahto, Resident of Village -
Khajuria, P.S. Kahalgaon, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector Bhagalpur.
2. The Sub Divisional Officer, Bhagalpur.
3. The Circle Officer, Khgalgaon, Bhagalpur.
4. The Sub Divisional Police Officer Kahalgaon, Bhagalpur.
5. The S.H.O. Kahalgaon, Police Station - Kahalgaon.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Shrivastava
For the Respondent/s : Mr.Md. Khrushid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 29-08-2023

The learned counsel for the petitioner makes a complaint to the effect that despite the final order, having been passed by the Circle Officer, Kahalgaon, in connection with Encroachment Case No. 7 of 2022-23, holding that the land in question has been encroached by the encroachers, whereafter, the Circle Officer, Kahalgaon, District-Bhagalpur, has even requisitioned police force for the purposes of removal of encroachment in question, nonetheless, the encroachment in question has not stood removed till date. In view of the aforesaid, it is submitted by the learned counsel for the petitioner that appropriate direction be issued to the District Magistrate, Bhagalpur.



2. Per contra, the learned counsel for the Respondent-State submits that in case, the final order, passed by the Circle Officer, Kahalgaon, Distict-Bhagalpur, in connection with Encroachment Case No. 7 of 2022-23, has not been annulled by any higher forum / Court of law, the encroachment would definitely be removed within a fixed time frame.
3. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to approach the District Magistrate, Bhagalpur, by filing appropriate representation regarding removal of the encroachment in question, upon which appropriate action shall be taken, in accordance with law, within a period of six weeks, thereafter.
4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.08.2023
Transmission Date	NA

