

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16565 of 2022

Visheshwar Das @ Visheshar Das Son of Chunni Das, Resident of Village/Mohalla- Shabari Nagar, Naharpar, Dhanaut, P.S.- Rupaspur, Circle- Danapur, District- Patna. At present president of the Union of the Resident of Peoples of Village/Mohalla Shabarai Nagar, Naharpar Dhanaut, P.S.- Rupaspur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue Department, Government of Bihar, Patna.
2. The Principal Secretary Revenue Department, Government of Bihar, Patna.
3. The District Magistrate, District- Patna.
4. The Sub Divisional Officer, Sub Division-Danapur, District- Patna.
5. The Circle Officer, Circle Danapur, District- Patna.
6. The S.H.O. P.S.- Rupaspur, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (SC- 25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 27-06-2023 The present writ petition has been filed
seeking the following relief:-

*“1. That this is an application
praying for issuance of a writ/ writs
mandamus or appropriate in
nature for quashing the Prapatra-II
issued under section 6, sub-
section (2) of Bihar Public Land
Encroachment, Act 1956 by the
Circle Officer, Danapur, District-
Danapur dated 04.11.2022 served*



individually to all the native people of the village/mohalla-Shabari Nagar, Naharpar, Dhanaut, P.S.-Rupaspur, District-Patna whereby and whereunder intimation has been given to all the residents of the people of village/Mohalla Shabari Nagar, Naharpar, Dhanaut, P.S. Rupaspur, Circle-Danapur, District- Patna to vacate the house constructed over Plot No. (Bhukhand No.) 1888 otherwise action shall be taken to demolish houses which have been constructed over the Bhukhand No. 1888. Whenever the houses of the resident of people of this village/Mohalla have been constructed by their ancestors prior to more than sixty years, and the people of this village/mohalla are landless poor persons they all belong to Schedule Caste and Schedule Tribe, except this they have no other houses for resident."

At the outset, the learned counsel for the petitioner has referred to paragraph no. 10 of the



counter affidavit filed today in the Court itself, which has been taken on record, which is reproduced herein below:-

10. That further, direction has been issued for not making any illegal construction by the encroachers on the land beside the chart of the canal from Khagaul Lakh to Rupaspur so that the flow of the water in the canal is not obstructed. In this regard, Executive Officer, Nagar Parishad, Danapur and Khagaul, Circle Officer, Danapur Officer In-Charge shall keep regular supervision. Finally, the Circle Officer, Danapur has been directed to take needful action in accordance with law for removing encroachment from the land in question after the said identified homeless/landless families are made available the land/house.

In view of the aforesaid, the learned counsel for the petitioner seeks not to press the present writ petition.

Accordingly, the present writ petition



stands disposed off in terms of paragraph no. 10 of the counter affidavit, as has been reproduced herein above.

(Mohit Kumar Shah, J)

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