

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18112 of 2022

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Pramod Giri Son of Lalan Giri Resident of Village- Ward No.- 1, Areraj,
Police Station- Areraj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Divisional Commissioner, Tirhut Division, Tirhut.
3. The District Magistrate, East Champaran.
4. The Sub Divisional Officer, Areraj, East Champaran.
5. The Circle Officer, Areraj, East Champaran.
6. The Block Development Officer, Areraj, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 03-07-2023

The present writ petition has been filed seeking the following relief:-

“1. That the present writ application is being filed for issuance of an appropriate writ / writs order/orders, order/orders, direction/directions to the Respondent authorities particularly Respondent NO. 5 (Circle Officer, Areraj) to comply his own order passed in Encroachment Case No. 39/2017-18 whereby and whereunder the Circle officer hold that the public in large encroached the Gairmazarua Aam (public land) bearing Khata No. 7, Khesra No. 1205 measuring an area of 9 dec. and directed them



to remove the encroachment from the aforesaid land and/or for any other relief/reliefs to which the petitioner may be found entitled to in course of hearing of the present writ application.”

2. The learned counsel for the petitioner has referred to a letter dated 10.9.2022, written by the Circle Officer, Areraj, East Champaran, whereby a request has been made for deputing a Magistrate and police force for removal of encroachment in question in pursuance to the orders, passed in Encroachment Case No. 39 of 2017-18, however, it is submitted that till date, the encroachment in question has not been removed.

3. The learned counsel for the Respondent-State submits that in case, the petitioner approaches the District Magistrate, East Champaran, by filing appropriate petition within a period of two weeks from today, appropriate steps shall definitely be taken by the District Magistrate, East Champaran, in accordance with law, within a period of four weeks, thereafter.

4. 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, East Champaran for enforcement of the orders, passed in connection with Encroachment Case No. 39 of 2017-18, by the Circle Officer,



Areraj.

5. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	7.7.2023
Transmission Date	NA

