

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1369 of 2024

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Kaushal Singh S/o Rudal Singh R/o Village - Durgauli Tola, Chakiya, P.S.-
Mashrakh, Dist.-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar Patna.
2. The District Magistrate, Collectorate Saran.
3. The Sub Divisional Officer, Nethua Road Marhaura, Saran.
4. The Circle Officer Marhaura, Saran.
5. The S.H.O., Masrakh Police Station, Saran.
6. Jitendra Singh, Son of Late Mahavir Singh Resident of Village - Durgauli,
P.S.- Masrakh, District - Saran.
7. Saytendra Singh, Son of Late Mahavir Singh Resident of Village - Durgauli,
P.S.- Masrakh, District - Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs.Shweta, Advocate
For the State : Mr.Md. N.H. Khan (SC- 1)
Mr. Md. Irshad, AC to SC-1
For the Respondents No. 6 & 7 : Mr. Arun Kr. Tiwari, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2024 The present writ petition has been filed
seeking the following relief:-

*“1.For issuance of writ of Mandamus
or any other appropriate writ or
direction commanding the
respondent authorities to remove
the encroachment from the public
land bearing Khata no. 150 and
survey no. 1580 measuring about
total Rakwa-3 Bigha 9 Katha, 8 Dhur
of Mauza-Durgoli Tola Chakia,
Anchal-Masrakh, District-Saran
which has forcibly been
occupied/encroached by the private
respondent no.6 to 7 in connivance
with the help of local official almas.”*

2. At the outset, the learned counsel for the



respondent-State submits, by referring to the counter affidavit, filed in the present case, that an encroachment proceeding has already been initiated by the Circle Officer, Mashrakh, District-Saran against the encroachers and the same would be taken to its logical conclusion within a stipulated time frame, as is fixed by this Court.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Mashrakh, District-Saran to dispose off the aforesaid encroachment proceeding, 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 eight weeks of receipt/production of a copy of this order.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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