

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3099 of 2024

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Pawan Devi Wife of Late Ganesh Kunwar resident of village- Nawtol, Ward
No. - 2, Block - Biraul, P.O - Bhawanipur, P.S. - Biraul, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Principal Secretary, Land Reforms Department, Govt. of Bihar.
2. The District Magistrate, Darbhanga.
3. The Circle Officer Biraul, Darbhanga.
4. Circle Inspector, Biraul, Darbhanga.
5. Station House Officer Biraul Police Station, Biraul District - Darbhanga, Bihar.
6. Phulan Kunwar, Son of Ghapchan Kunwar Resident of village- Nawtol, Post Bhawanipur, P.S. - Biraul, District - Darbhanga.
7. Phani Shankar Kunwar, Son of Bal Mukund Kunwar, Resident of village- Nawtol, Post Bhawanipur, P.S. - Biraul, District - Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gopal Jha, Adv.
For the Respondent/s : Mr.Sarvesh Kr. Singh, AAG-13

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-05-2024 1. The present writ petition has been filed seeking
the following relief(s):-

*“1.(i) To issue a writ in the nature of Mandamus for
a direction to the respondents authorities to make
sure that the land of Khata No. 2091, and khesra
No. 4232, measuring 13 Decimal of Mauza-Rohar,
Circle- Biraul, District Darbhanga, be
encroachment free from the hands of respondents
2nd set, which was being used by the petitioner and
villagers for their transmigration/communication
and other activities since long.*



(ii) To issue a writ in the nature of Mandamus for a direction to the respondents authorities specially to respondent no. 2 and 3, to make the land/road encroachment free from the hands of some musells men of the village so that the villagers of locality may use the road for their transmigration.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Biraul, District-Darbhangha, to conclude the proceedings of the pending Encroachment Case No.17 of 2019-2020, expeditiously.

3. Per contra, the learned counsel for the respondent-State submits that in case the aforesaid encroachment case is still pending adjudication, the same would definitely be disposed off, within a stipulated time frame, as is fixed by this Court.

4. Having regard to the limited prayer made by the learned counsel for the petitioner, I deem it fit and proper to direct the Circle Officer, Biraul, District-Darbhangha, to conclude the proceedings of the aforesaid Encroachment Case No.17 of 2019-2020, 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 6 weeks of receipt/production of a copy of this order.

5. The writ petition stands disposed off on the



aforesaid terms.

(Mohit Kumar Shah, J)

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