

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2290 of 2024

Farida Khatoon w/o Munna Hussain, D/o Md. Bashir, Resident of Village-Bedu Tola, P.S.-Thawe, District-Gopalganj, at present resident of Village-Khawaspur, P.S.-Basantpur, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Siwan.
3. The District Magistrate cum Second Appellate Authority, Public Complaint Cell, Siwan.
4. The Additional District Magistrate cum 1st Appellate Authority, District Public Complaint Cell, Siwan.
5. The Circle Officer, Lakri Naviganj, Siwan.
6. The Sub Divisional Public Complaint Cell, Maharajganj, Siwan.
7. Shek Aslam, son of Late Diljan Mian, Resident of Village-Safiabad, P.S.-Baikunthpur, District-Gopalganj, at present resident at Khawaspur, P.S.-Basantpur, District-Siwan.
8. Md. Raish, son of Late Babar Mian, residing at Khawaspur, P.S.-Basantpur, District-Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Raju Prasad, Advocate Mr. Mithilesh Kumar Upadhyay, Advocate Mrs. Nupur Anand, Advocate
For the Respondent/s	:	Mr.Addl. Advocate General 13

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2024 At the outset, the learned counsel for the petitioner seeks permission to correct certain typographical errors which have crept in paragraph no. 1 of the present petition. Permission, so sought, is granted.

2. Needful be done during the course of the



day.

3. The present writ petition has been filed seeking the following reliefs:-

“1. To issue a writ in the nature of mandamus or any other appropriate writ / writs, order orders, direction/directions commanding the respondents to remove the encroachment of the gairmajarua land vide Thana No. 74, Tauzi No. 1692, Khata No. 689, Survey No. 3224, area 0.19.7 (19 Katha 7 dhoor) situated at Mauza-Khawaspur, P.S.- Basantpur, District-Siwan.

(ii) To direct the respondents to remove the private respondents no. 7 to 8 who encroached the Govt. land by constructing a house upon the land.”

4. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Lakri Naviganj, Siwan to dispose off the pending Encroachment Case No. 2 of 2022-23.

5. *Per contra*, the learned counsel for the respondent-State submits that in case the aforesaid Encroachment Case is still pending, the



same would definitely be disposed off within a stipulated time frame, as is fixed by this Court.

6. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Lakri Naviganj, Siwan, to dispose off the aforesaid Encroachment Case No. 2 of 2022-23, in case the same has not already been disposed off, 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.

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

(Mohit Kumar Shah, J)

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