

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6071 of 2024

=====

Dulari Kunwar @ Dulari Devi W/o Late Ramji Mistry @ Late Ranjit Mishri
resident of Village- Dhewahi, P.O. - Khairadeep, P.S. - Daudnagar, District-
Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Revenue Department, Govt. of Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The Sub Divisional Officer, Aurangabad.
4. The Circle Officer, Daudnagar, Aurangabad.
5. Ram Sharipha Singh, S/o Late Phekan Singh, Resident of village- Dhewahi, P.O. - Khairadeep, P.S. - Daudnagar, District- Aurangabad.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Parmeshwar Vishwakarma, Advocate
For the Respondent/s : Mr.Addl. Advocate General 12

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-07-2024 The present writ petition has been filed
seeking the following reliefs:-

“1. (a) Issuance of writ in the nature of Mandamus commanding and directing the official respondents specially the Circle Officer, Daudnagar to remove the encroached area about 10 feet out of 12 feet of street (Rasta) towards east and north of the house of the petitioner which Gair Mazarua Aam land has been encroached by the private respondent, which is situated



*at Village-Dhewahi. P.O.-Khairadeep,
P.S.-Daudnagar, District-Aurangabad
in respect of Khata No.134/93,
Khera No.334, area-1 Katha 10
Dhur, Mauza-Dheebahi.*

*(b) Respondent further be directed
to re-open the drain (Nali) of the
petitioner, which was closed by the
private respondent."*

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Daudnagar, District-Aurangabad, to dispose off the pending Encroachment Case No. 2 of 2018.

3. *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 concluded within a stipulated time frame, as is fixed by this Court.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Daudnagar, District-Aurangabad to dispose off the aforesaid Land Encroachment Case No. 2 of 2018, in case the same is still pending, 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 six 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)

S.Sb/-

U			
---	--	--	--

