

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5067 of 2024

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Dhanik Lal Sahu Son of Late Vauelal Sahu, resident of Village-Behra, P.O.-
Madhopur, P.S.-Khutauna, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Revenue Secretary, State of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Circle Officer, Khutauna.
4. Kuldeo Paswan, son of Late Raslal Paswan, Resident of Village Baurah, P.S.
Khutauna, District-Madhubani, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ramesh Kumar Singh, Adv.
For the Respondent/s	:	Mr.Government Pleader (11)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-06-2024 The present writ petition has been filed seeking the
following relief:-

“1. That this writ application is for a direction to the Respondents to remove the encroached land which has been encroached by Respondent No.4 who is anti-social elements of village Khata No. 166, Plot No. 698, area 8 dhur, Thana No. 23 (in map 698 has been show road). The land has been recorded as Sarw Sadharn Road and in map it has also been shown as public road. It is submitted that in spite of several efforts and applications pillar to post and order of Superior Authority, the Circle Officer Khutauna did not obey and consider the order passed by Superior officer he could not remove the encroached land of the



State of Bihar. The petitioner further prays that a direction may be issue to the C.O. Khutauna to obey the order and command of Superior authority. If the Circle Officer, Khutauna will not obey then it is not possible to administration to reform the society and such officer is dangerous for society there this Hon'ble Court may direct him to do the work according to law.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Respondent No. 3 i.e. the Circle Officer, Khutauna, District-Madhubani, for disposal of the pending Encroachment Case No. 15/20-21.

3. Per contra, the learned counsel for the Respondent-State submits that in case, the aforesaid encroachment proceedings are still pending, the same would definitely be concluded within a fixed time frame, as is directed by this Court.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Respondent No. 3 to conclude the proceedings of the aforesaid Encroachment Case No. 15/20-21, by passing the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in case the same has not yet been passed, 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. Accordingly, the present writ petition stands disposed off
on the aforesaid terms.

(Mohit Kumar Shah, J)

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