

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4059 of 2024

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Baliram Sharma Son of Late Raghunandan Singh, Resident of Village and Post - Tej Bigha, PS- Kako (Bhelawar O.P.), District - Jehanabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Land Revenue and Land Reforms, Government of Bihar, Patna.
4. The Collector-cum-District Magistrate, Jehanabad.
5. The Circle Officer, Kako, District - Jehanabad.
6. The Principal Secretary, Department of Water Resources, Government of Bihar, Patna.
7. The Engineer in Chief (Irrigation), Department of Water Resources, Government of Bihar, Patna.
8. The Engineer in Chief, (Flood Control and Water drainage), Department of Water Resources, Government of Bihar, Patna.
9. The Superintending Engineer, Irrigation Circle, Nalanda at Bihar Sharif.
10. The Executive Engineer, Irrigation Division, Jehanabad.
11. Ramchandra Das, Son of Late Lalmuni Das, Resident of Village- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
12. Dasai Das, Son of Late Lalmuni Das, Resident of Village- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
13. Ashok Paswan, Son of Late Rajendra Paswan, Resident of Village- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
14. Dinesh Manjhi @ Baudha Manjhi, Son of Late Ghutar Manjhi, Resident of Village- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
15. Bigan Manjhi, Son of Chanrik Manjhi, Resident of Village- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
16. Prahalad Manjhi, Son of Late Rambalak Manjhi, Resident of Village- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
17. Manoj Manjhi, Son of Late Sita Manjhi, Resident of Village- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
18. Kamlesh Manjhi, Son of Late Kailu Manjhi, Resident of Village- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
19. Tuntun Manjhi, Son of Khaderu Manjhi, Resident of Village- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
20. Bitan Manjhi, Son of Late Raju Manjhi, Resident of Village- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
21. Pradeep Manjhi, Son of Late Rambalak Manjhi, Resident of Village-



- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
22. And Several other persons, name and Position of them will come out after the measurement of the Irrigation Canals and the Drainage Channnels. Resident of Village- Ranipur, P.O. - Tej Bigha, P.S. - Kako, District - Jehanabad, (Bihar)
23. Sushil Sharma, Son of Late Siyasharan Sharma, Resident of Village and Post Office - Tej Bigha, P.S. Kako, District - Jehanabad, (Bihar).
24. Ramadhar Sharma, Son of Late Basant Sharma, Resident of Village and Post Office - Tej Bigha, P.S. Kako, District - Jehanabad, (Bihar).
25. Sudhish Sharma, Son of Late Basant Sharma, Resident of Village and Post Office - Tej Bigha, P.S. Kako, District - Jehanabad, (Bihar).
26. Jay Ram Sharma, Son of Late Chandrika Sharma, Resident of Village and Post Office - Tej Bigha, P.S. Kako, District - Jehanabad, (Bihar).
27. Yugal Sharma, Son of Late Brijnandan Sharma, Resident of Village and Post Office - Tej Bigha, P.S. Kako, District - Jehanabad, (Bihar).
28. And Several other persons, whose name and position will come out after the measurement of the Irrigation Canals and the Drainage Channels. Resident of Village and Post Office - Tej Bigha, P.S. Kako, District - Jehanabad, (Bihar).
29. And Several other persons whose name and Position will come out after the measurement of the Irrigation Canals and the Drainage Channels situated and resident of village - Badhauna, P.S. - Kako, District - Jehanabad (Bihar).
30. And Several other persons, whose name and position will come out after the Measurement of the Irrigation Canals and the Drainage Channels, situated and resident of Village- Hati, P.S. - Kako, District - Jehanabad (Bihar).
31. And Several other persons, whose name and position will come out after the measurement of the Irrigation Canals and the Drainage Channels situated and resident of Village - Mansoor Chak, P.S. Kako, District - Jehanabad (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5, Adv.
For the Respondent/s : Mr. Akshay Lal, Adv.
Mr. Ajit Anand, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-12-2024 At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Kako, District- Jehanabad, i.e. the Respondent No. 5, to conclude the proceedings of the pending Encroachment Case No. 2 of 2023-



24.

2. *Per contra*, the learned counsel for the Respondent-State submits that in case, the aforesaid encroachment proceedings have not been concluded, the same would definitely be concluded, by passing the final order, within a fixed time frame.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Respondent No. 5 to conclude the proceedings of the aforesaid Encroachment Case No. 2 of 2023-24, if the same has not already been concluded, by passing the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, after hearing the affected parties and in accordance with law, within a period of six weeks of receipt / production of a copy of this order.

4. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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