

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5250 of 2024

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Anwar Ahmad Son of Late Shabbir Ahmad, Resident of Village- Harsingpur,
P.S.- Ghanshyampur, Anchal- Ali Nagar, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Revenue and Land Reforms, Bihar, Patna.
2. The District cum Collector, Darbhanga.
3. The Addl. Collector, Darbhanga.
4. The Sub Divisional Officer, Biraul, District - Darbhanga.
5. The Circle Officer, Anchal - Ali Nagar, District- Darbhanga.
6. Abdul Zakir @ Mister, S/o Late Abdul Gani, R/o Village- Harsingpur, P.S.- Ghanshyampur, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate
For the Respondent/s : Mr.Additional Advocate General (13)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-04-2024 Heard learned counsel for the petitioner and the

State.

2. The petitioner has prayed for the following reliefs:

*(i) for issuance of a writ in the nature
of mandamus or any other
appropriate writ order/orders and
direction/directions commanding the
respondents to comply with the order
dated 5.7.2022 passed by the
Collector, Darbhanga (respondent*



*no.2) in Misc. (Revenue) Appeal No.
112/2016;*

*(ii) for issuance of a writ in the
nature of mandamus or any other
appropriate writ order/or direction
commanding the respondent to
remove the encroachment from the
land in question bearing Khata No.
1053 (old)/1817 (new), Khesra No.
4623(old)/5482 (new) area 14 dhurs;
(iii) any other appropriate relief or
reliefs may be granted in favour of
the petitioner as your Lordship may
deem fit and proper.*

3. A perusal of the order dated 5.7.2022 passed by the Collector, Darbhanga in Misc. (Revenue) Appeal No. 112/2016 (**Anwar Ahmad & Ors vs. Abdul Jakir & Ors**) would show that after allowing the appeal, the direction was given to the Circle Officer, Ali Nagar to do the needful.

4. It is the contention of the learned counsel for the petitioner that despite the order passed in the year 2022, the Circle Officer, Ali Nagar has not moved forward.



5. Learned counsel submits that in view of the order passed by the Collector, Darbhanga, the respondent, the Circle Officer, Ali Nagar is duty bound to act further.

6. It is unfortunate that for compliance of the order of the Collector, Darbhanga (by which he has directed the Circle Officer, Ali Nagar to act), the petitioner had to approach this Court.

7. The writ petition stands disposed of with a direction to the respondent, Circle Officer, Ali Nagar, Darbhanga to immediately act as per the direction given by the Collector, Darbhanga in Misc. (Revenue) Appeal No. 112/2016 within a period of four months from today if it still has not been taken to its logical conclusion.

(Rajiv Roy, J)

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