

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5988 of 2024

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Ranjay Kumar Mishra S/o Late Raghunath Mishra, R/o Village Noniya
Mishra Tola, P.S. Paharpur, Dist. East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Motihari, E. Champaran.
2. Sub Divisional Officer, Areraj, East Champaran at Areraj.
3. The Circle Officer, Paharpur Block, Dist. East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2, Adv.
For the Respondent/s : Mr. K.P.Gupta, GP-10
Mr. Satya Vrat, AC to GP-10

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-07-2024 The present writ petition has been filed seeking the
following relief:-

“1(A). For issuance of a writ in nature of
Mandamus or any other appropriate writ/writs
order/orders direction/ directions to direct to
respondents to compliance the order dated
15.03.22 passed by respondent no. 3 and remove
the encroachment from public road which
encroachment by persons.”

2. At the outset, the learned counsel for the petitioner
submits that despite passing of the final order under Section 6(1)
of the Bihar Public Land Encroachment Act, 1956 (hereinafter
referred to as “the Act, 1956”), on 15.3.2022 by the Circle
Officer, Paharpur, District-East Champaran at Motihari, as also



issuance of notice under Section 6(2) of the Act, 1956, the encroachment has not been removed till date, hence, appropriate directions be issued.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the District Magistrate, District-East Champaran at Motihari, to ensure that the aforesaid order dated 15.3.2022, passed by the Circle Officer, Paharpur, District-East Champaran at Motihari, is enforced in its true letter and spirit, in case there is no other legal impediment and the same has not been annulled by a higher forum or Court of law, by taking recourse to the due process of 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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