

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5628 of 2024

1. The Bauram Gram Vikash Samiti Bauram P.S. Jamalpur, District-Darbhangha through its Secretary Irfan Ahmad, Resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
2. Irfan Ahmad @ Mahtab Alam son of Md. Abbas, Resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Darbhanga.
3. The Land Reforms Deputy Collector, Biraul, Darbhanga.
4. The Sub-Divisional Public Grievance Redressal Forum, Biraul, Darbhanga.
5. The Circle Officer, Gaura Bauram Anchal, Darbhanga.
6. Motiur Rahman son of Late Nijamuddin, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
7. Shami Ahmad, son of Late Dr. Mohibullah, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
8. Wakil Paswan, Son of Late Yogeshwar Paswan, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
9. Raj Kumar Sahu, son of Late Mahavir Sahu, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
10. Ram Sewak Sahu, son of Late Yogendra Sahu, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
11. Shrawan Thakur, son of Anand Thakur, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
12. Arun Kumar @ Indradev Kuar, Son of Guneshwar Kuar, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
13. Faiyaz Ahmad son of Md. Sarfuddin, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
14. Md. Sefullah, son of Abid Hussain, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
15. Wali Mohammad, son of Late Majlis, x
16. Md. Shamim @ Feku, son of Md. Iliyas, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
17. Nayeem Sah son of Late Idrish Sah, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
18. Suleman Sah, son of Alim Sah, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.



19. Dostgir Sah, son of Hashim Sah, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
20. Nijamuddin Sah, son of Abdul Aziz Sah, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
21. Md. Shakil, son of Md. Latif, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
22. Md. Mintullah son of Md. Yasim, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
23. Md. Rahamtullah, son of Md. Harun, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
24. Shahjahan son of Md. Salim, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
25. Israil Hazam, son of Hanif Hazam, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
26. Israil Rain, son of Bhola Rain, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.
27. Bashir Rain, Son of Yusuf Rain, resident of Village-Bauram, P.S. Jamalpur, District-Darbhangha.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Advocate
Ms.Ankita Roy, Advocate
Ms.Vagisha Aragya, Advocate
For the Respondent/s : Mr.Standing Counsel (28)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-06-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For a direction to the respondent no.5 to implement and comply the order dated 22.12.2022 passed by the Sub-Divisional Public Grievance Forum, Biraul, Darbhanga (Respondent no.4) in Complaint Case No. 513310110102206808 (Annexure: 1).



(ii) For a direction to respondent no.5 to adjudicate the Encroachment Case No. 18/2022-23 accordance with law and if the encroachment found then the remove the encroachment.”

2. At the outset, the learned counsel for the petitioners seeks a direction upon the Circle Officer, Gaura Bauram Anchal, District-Darbhanga i.e. the respondent no.5 to conclude the proceedings of the aforesaid Encroachment Case No.18 of 2022-23.

3. Per contra, the learned counsel for the respondent-State submits that in case the the proceedings of the aforesaid Encroachment Case No.18 of 2022-23, is still pending, the same shall definitely be disposed off, within a fixed 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, Gaura Bauram Anchal, District-Darbhanga i.e. the respondent no.5 to dispose off the aforesaid encroachment proceedings, 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)

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