

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6939 of 2024

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Sudisht Narayan Mishr S/o Makeswar Mishr, R/o - Village- Mishrouli, P.S. - Simri, District - Darbhanga, State - Bihar, Pin Code- 847106.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
3. The Divisional Commissioner, Darbhanga.
4. The District Magistrate, Darbhanga.
5. The Circle Officer (CO), Singhwara, Darbhanga, Bihar.
6. The Sub Divisional Public Grievance Officer, Darbhanga, Bihar.
7. Vidya Sagar Mishr, S/o Late Subh Chandra Mishr, R/o - Village - Mishrouli, P.S. - Simri, District - Darbhanga, State - Bihar, Pin Code- 847106.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ankit Kumar, Advocate
For the Respondent/s : Standing Counsel 6

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-07-2024 The present writ petition has been filed seeking the following reliefs:-

“I. For issuance of writ in the nature of Mandamus directing the respondents to do a fresh measurement of the encroached area by the government Amin and further in accordance with the report of the Amin, illegal encroachment may be removed.

II. For issuance of appropriate direction to the respondent no.7 to remove the illegal encroachment from the Kali Mandir (Kali Temple) premises.”

2. At the outset, the learned counsel for the petitioner



seeks a direction upon the Circle Officer, Singhwara, District-Darbhangha, to conclude the proceedings of the pending Encroachment Case no.15 of 2018-19.

3. *Per contra*, the learned counsel for the respondent-State submits that in case the aforesaid encroachment proceeding has not yet been concluded, the same shall definitely be concluded, within a stipulated 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, Singhwara, District-Darbhangha, to conclude the proceedings of the aforesaid Encroachment Case No. 15 of 2018-19, in case the same is still pending consideration, 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 this order.

5. This writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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