

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5610 of 2024

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Ramesh Kumar Upadhyay S/O Late Rajendra Upadhyay Resident of Village-
Manguru Chak, P.S.- Mahua, Dist.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-cum-District Magistrate, Vaishali at Hajipur.
2. The Collector-cum-District Magistrate, Vaishali at Hajipur.
3. The Additional Collector, Hajipur, Dist.- Vaishali.
4. The Sub-Divisional Officer, Mahua sub Division, Mahua, District- Vaishali.
5. The Circle Officer, Mahua Block, Mahua, District- Vaishali.
6. The Superintendent of Police, Vaishali at Hajipur.
7. The Officer-in-Charge, Mahua Police Station, Mahua, District- Vaishali.
8. The Chief Executive Officer, Zila Parishad (District Board), Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Respondent/s : Mr.Standing Counsel 22

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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) To remove all encroachments from the
public road connecting Hajipur to Mahua
Chowk appertaining to Thana No.294, Khata
No.493, Plot No.1186 falling under Mahua
Mukundpur Mauza under Mahua Block of
Vaishali district as the said road has been
subjected to mass encroachment by anti-social
elements as a result of which the people of the
locality are facing the problem of acute jam
over the road in question every day.*

(II) To hold that the respondents are under an



obligation to remove the encroachment in question from the aforesaid public road.”

2. At the outset, the learned counsel for the respondent-State submits that encroachment proceedings have already been initiated by the Circle Officer, Mahua Block, Mahua, District- Vaishali and notices have been issued to the encroachers, hence the aforesaid proceedings would definitely be concluded, within a fixed time frame, as is fixed by this Court.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Mahua District-Vaishali at Hajipur to conclude the encroachment proceedings, in question 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.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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