

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5682 of 2024

Chandrika Yadav S/o Late Lutan Yadav Resident of Village- Uttari Telua,
P.S.- Nautan, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-cum-District Magistrate, West Champaran at Bettiah.
2. The Collector-cum-District Magistrate, West Champaran at Bettiah.
3. The Additional Collector, Bettiah, West Champaran.
4. The Sub-Divisional Officer, Bettiah Sadar, Bettiah, District- West Champaran.
5. The Circle Officer, Nautan Block, Nautan, District- West Champaran.
6. The Superintendent of Police, Bettiah, West Champaran.
7. The Office-In-Charge, Nautan Police Station, Nautan, District- West Champaran.
8. Shiv Mahto S/o Dahari Mahto Resident of Village- Uttari Telua, P.S.- Nautan, District- West Champaran.
9. Sudama Yadav S/o Briksha Yadav Resident of Village- Uttari Telua, P.S.- Nautan, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Respondent/s : Mr.Government Pleader (26)

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 done by the
private respondents from a piece of
Gairmajarua Aam Land (public road)
appertaining to thana no. 171, khata no. 161,
plot no. 498 falling within Mauza Uttari Telua
under Nautan Block of West Champaran
District.*



(II) To hold that the aforesaid encroachment done by the private respondent has blocked the entry and exit of the petitioner from his residential land to the aforesaid public road and the public road in question has been narrowed down considerably causing serious inconvenience to the people of the locality as well.

(III) To hold that the official respondents are under an obligation to remove the encroachment in question forthwith.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Nautan, District-West Champaran at Bettiah to dispose off the proceedings of the Encroachment Case No.04 of 2021-22 and Encroachment Case No.05 of 2021-22.

3. Per contra, the learned counsel for the respondent-State submits that the proceedings of the aforesaid Encroachment Case No.04 of 2021-22 and Encroachment Case No.05 of 2021-22, in case the same are still pending, 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, Nautan, District-West Champaran at Bettiah 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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