

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6185 of 2024

1. Nawal Kishore Pandey Son of Late Udit Pandey, resident of Village-Satpipra (Bhumihari Tola), P.S.-Ramgarhwa, District-East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, East Champaran.
3. The Sub-Divisional Officer, Raxaul, District-East Champaran.
4. The Circle Officer, Ramgarhwa Circle Office, District-East Champaran.
5. Ishrafil Miyan, son of Late Bhikhari Miyan, resident of Village-Bhumihari Tola, P.S.-Ramgarhwa, District-East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate
For the Respondent/s : Standing Counsel-11

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

“(i)For commanding the respondent to remove encroachment over the public road situated in Mauza- Ramgarhwa, Thana No. 66 (Bhumihari Tola, Satpipra), Khesra No. 2250/2501 and 2269 whereby and whereunder the respondent No. 5 has encroached the part land of the aforesaid public land of road.

(ii) Also for directing the respondent to conclude the encroachment proceeding



bearing Encroachment Case No. 19/2023-24 initiated under Bihar Public Land Encroachment Act against the encroacher i.e. respondent No. 5 who has encroached the public road."

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Ramgarhwa, District-East Champaran to conclude the proceedings of the pending Encroachment Case No.19 of 2023-24.

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, Ramgarhwa, District-East Champaran to conclude the proceeding of the aforesaid Encroachment Case No.19 of 2023-24, in case the same has not yet been concluded, by passing the final order, under Section 6(1) of the



Bihar Public Land Encroachment Act, 1956, after hearing the affected parties and in accordance with law, 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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