

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7836 of 2024

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Asrudin Khan S/o Late Zahur Khan Resident of Village- Basti, Semra, P.S.-
Palanwa, Dist- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Collector, East Champaran, Motihari.
2. The District Collector, East Champaran, Motihari.
3. The Sub Divisional Officer, Raxaul, Dist- East Champaran, Motihari.
4. The Deputy Collector, Land Reforms, Raxaul, Dist- East Champaran, Motihari.
5. The Circle Officer, Ramgarhwa, Dist- East Champaran, Motihari.
6. Nagendra Yadav S/o Late Atibal Yadav R/o village- Basti Semra, P.S- Palanwa, Dist- East Champaran.
7. Naginda Yadav S/o Late Satya Narayan Yadav R/o village- Basti Semra, P.S- Palanwa, Dist- East Champaran.
8. Amlesh Yadav S/o Late Suresh Yadav R/o village- Basti Semra, P.S- Palanwa, Dist- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Adv.
For the Respondent/s : Mr.Standing Counsel (23)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-07-2024 The present writ petition has been filed seeking the
following relief:-

“1(a).For issuance of an appropriate writ(s),
order(s), direction, commanding upon the
respondents concern to remove illegal
encroachment from the public road (Gairmajarua



Aam land) appertaining to khata no.10, Khesra no.447 situated in Mauza- Basti Semra, Thana no.58, P.S- Palanwa Dist- East Champaran which has been encroached by private respondent no. 6 to 8 by fencing pillar and wire illegally due to which egress and ingress of the petitioner has been disturbed and the public are also facing trouble.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the District Magistrate, District-East Champaran at Motihari, to ensure removal of the encroachment in question, inasmuch as the Circle Officer, Ramgarha, District-East Champaran at Motihari, has already passed the final order on 4.7.2022, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No. 1 of 2022-23.

3. Per contra, the learned counsel for the Respondent-State submits that in case, there is no other legal impediment, the aforesaid order dated 4.7.2022 shall definitely be enforced 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 District Magistrate, East Champaran at Motihari, to ensure that the aforesaid dated 4.7.2022 is enforced in its true letter and spirit forthwith, in case



there is no other legal impediment.

5. Accordingly, the present writ petition stands disposed off
on the aforesaid terms.

(Mohit Kumar Shah, J)

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