

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6155 of 2024

Umesh Prasad Sah Son of Hari Shankar Sah Resident of Village- Latiyahi,
P.S.- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Collector, Motihari, East Champaran.
2. The Sub Divisional Officer (S.D.O.), Raxaul, East Champaran.
3. The Circle Officer, Adapur, East Champaran.
4. Shri Jaichand Prasad Chaurasiya, Son of Baidh Nath Prasad Chaurasiya
Resident of Village- Latiyahi, P.S.- Adapur, District- East Champaran.
5. Ram Babu Prasad Chaurasiya, Son of Baidh Nath Prasad Chaurasiya
Resident of Village- Latiyahi, P.S.- Adapur, District- East Champaran.
6. Ram jit Thakur, Son of Satya Narayan Thakur Resident of Village- Latiyahi,
P.S.- Adapur, District- East Champaran.
7. Umesh Prasad Sah, Son of Hari Shankar Sah Resident of Village- Latiyahi,
P.S.- Adapur, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Shankar Shrivastava, Advocate
For the State	:	Mr. D. Vinod, AC to SC-26

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

“1. For issuance of a writ in the nature of Mandamus commanding and directing the respondents particular the respondent No 3 (The Circle officer Adapur, East Champaran) to conclude the encroachment proceeding of Encroachment Case No 04/2022-2023, under the Bihar Public Land Encroachment Act, as early as possible, against the respondent No.



4 to 7 and others who have encroached the Government Land (Aam Gairmajarua Land) public road, situated under Mauza Latiyahi Tola Bairiya, Thana NO.128 Khata No 05, Plot No 1299, which comes under the jurisdiction of Circle Officer Adapur, East Champaran and remove the encroachment from the public road situated under Mauza Latiyahi Tola Bairiya, Thana NO 128 Khata No 05, Plot No 1299."

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Adapur, District-East Champran to conclude the proceedings of the pending Encroachment Case No.04 of 2022-23.

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, Adapur, District-East



Champran to conclude the proceeding of the aforesaid Encroachment Case No.04 of 2022-23, 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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