

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7141 of 2024

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Ramesh Bhagat Son of Late Bhikhari Bhagat Resident of village- Pakadiyer,
P.S.- Gopalpur, Anchal- Kuchaikot, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna
2. The Director-Cum-Secretary of the Revenue Department Government of Bihar, Old Secretariat, Patna
3. The District Magistrate-Cum-Collector District- Gopalganj
4. The Sub-Divisional Redressal Of Grievance Officer Gopalganj
5. The Sub-Divisional Magistrate Sadar-Gopalganj
6. The District Collector land Reform Gopalganj
7. The Circle Officer Kuchaikot, District- Gopalganj
8. The Officer In-charge Police Station Gopalpur District- Gopalganj
9. The present Mukhiya Panchayat Raj, Pakadiyar, Block- Barharia, District- Siwan
10. Mahendra Bhagat S/O Late Gharbharan Bhagat r/o- Vill.- Shahpur Pakadiyar, P.S.- Gopalpur, District- Gopalganj (Encroacher of the Public Land)

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Harendra Prasad, Advocate
For the State	:	Mr. Vikash Jha, AC to GA-9

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-07-2024 The present writ petition has been filed
seeking the following reliefs:-

*“1. This writ application is being preferred for
issuance of a writ of mandamus*

*i. Directing the respondent no.7 (C.O
Kuchaikot, Gopalganj) to remove the illegal
encroachment from public sewage in Village*



Sahpur Pakadiyar, Thana No. 526, Khata No. 288, Kheshra No. 1232, area 4 decimal. water of drainage is spread over the road as well as houses of common people due to which health issues increase gradually.

ii. Directing the respondent to take proper and remedial action I.e proper cleaning of drainage of that particular village with help of Village Mukhiya, and further to direct the private Respondent no. 10 to vacate the encroached Public Land.

iii. Further to direct the C.O Kuchaikot, to remove the illegal encroachment made over sewage), and dispose off the encroachment case No. 19 of 2022-23."

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Kuchaikot, District-Gopalganj to conclude the proceedings of the pending Encroachment Case No.19 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, Kuchaikot, District-Gopalganj to conclude the proceeding of the aforesaid Encroachment Case No.19 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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