

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8291 of 2024

Kailash Prasad Sahu Son of Late Prayag Sahu, Resident of Village- Mau Dhaneshpur, Post Office and Police Station- Vidhyapati Nagar, District- Samastipur. At present - 206, Saptarshi Apartment, Mulchand Path, Chitragupta Nagar, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Collector, District- Samastipur.
4. The Superintendent of Police, District- Samastipur.
5. The Circle Officer, Block Vidhyapati Nagar, District- Samastipur.
6. The Station House Officer, Vidhyapati Nagar Police Station, District- Samastipur.
7. Suresh Sah, Son of Late Balo Sah, Resident of Village- Mau Dhaneshpur, Post Office and Police Station- Vidhyapati Nagar, District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amit Kumar, Advocate
For the State	:	Mr. Raghwanand Kumar, SC-22

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-07-2024 1. The present writ petition has been filed seeking the following relief(s):-

“(1) That the respondents No. 3 and 5 be directed to remove the encroachment from the Public Road situated in Mau Dhaneshpur village under Vidhyapati Nagar Block, District-Samastipur, bearing Thana No. 84, Khata No. 1944 (New), Khesra No. 4536 and 4538 whereby and whereunder Khesra No. 4539, 4550 and 4541 land belongs to Government land under Gair Mazarua Aam use of Public in general which is encroached



by Private respondent No. 7.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Block Vidhyapati Nagar, District-Samastipur to dispose off the pending Encroachment Case No.01 of 2024-25.

3. Per contra, the learned counsel for the respondent-State submits that in case the proceedings of the aforesaid encroachment case is still pending, the same shall be disposed off, within a stipulated time frame, as is fixed by this Hon’ble Court.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Block Vidhyapati Nagar, District-Samastipur to dispose off the aforesaid encroachment case 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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