

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8069 of 2024

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Ramekbal Kumar S/o Radhamohan Mahto, Resident of Village-Woob P.S.
Obra, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through District- Magistrate, Aurangabad.
2. Sub-Divisional Officer, Daudnagar, District- Aurangabad.
3. Deputy Collector Land Reforms, Daudnagar, Aurangabad.
4. Circle Officer, Obra, Sub division-Daudnagar, Aurangabad.
5. Subhash Sharma Son of late Ambika Singh, resident of Village Woob P.S.
Obra, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate
For the State : Standing Counsel 5

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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 reliefs:-

"1. For issuance of an appropriate writ in the nature of mandamus directing the respondent authorities to initiate an encroachment proceeding against the encroachers (respondent no.5) who has encroached the Government land situated at Mauza Woob, Thana No. 334, Khata No. 267 Plot No. 2024 area 1.39 Acre and



started construction forcibly and remove the encroachment.

II. For issuance of an appropriate writ in the nature of mandamus directing the respondent authorities to remove the encroachment from the aforesaid land since the general public use the land for different village as well as national festivals."

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Obra, Sub-division-Daudnagar, Aurangabad, District-Aurangabad to conclude the proceeding of the pending Encroachment Case No.04/2023-24.

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, Obra, Sub-division-Daudnagar, Aurangabad, District-Aurangabad to conclude the proceedings of the aforesaid



Encroachment Case No.04/2023-24, 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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