

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7817 of 2023

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Allauddin Khan @ Allauddin Son of Mohamdin Khan Resident of Village-
Mahaicha, Post office Mirganj, P.S.-Uchakagaon, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms Department, Government of Bihar, Patna.
2. The Collector cum District Magistrate, Gopalganj.
3. The Circle Officer, Uchakagaon, Gopalganj.
4. Brahma Sah Son of Late Bhikar Sah Resident of Village-Mahaicha, Post Office Mirganj, P.S. Uchakagaon, District-Gopalganj.
5. Lakadi Sah Son of Late Bhikar Sah Resident of Village-Mahaicha, Post Office Mirganj, P.S. Uchakagaon, District-Gopalganj.
6. Lalan Sah Son of Late Narayan Sah Resident of Village-Mahaicha, Post Office Mirganj, P.S. Uchakagaon, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Pandey, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha (SC-19)
		Mr. Atul Shankar, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-07-2024 The present writ petition has been filed
seeking the following relief:-

*“1. That this application is being
filed by the petitioner for issuance of
an appropriate writ in the nature of
writ of Mandamus directing the
respondent authorities to remove
the encroachment made by Private
Respondent Nos. 4,5 and 6 over the
land bearing Khata No. 209, Survey
Plot No. 1537 and Thana No. 1059*



mentioned in Khatiyon and shown as Aam Gairmazarua Rasta situated in the village-Mahaichaand in front of the house the petitioner by constructing P.C.C., installing hand pump staircase and Shauchalaya over the public land and Rasta causing great inconvenience to the petitioner and the public in general."

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Uchakagaon, District-Gopalganj, to conclude the proceedings of the pending Encroachment Case No. 1 of 2024-25.

3. *Per contra*, the learned counsel for the respondent-State submits that in case the aforesaid Encroachment Case is still pending, the same would definitely be disposed off 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, Uchakagaon, District-Gopalganj to dispose off the aforesaid Encroachment Case No. 1 of 2024-25, in case the same is still pending, 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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