

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9294 of 2023

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Kundan Kumar, son of Krishnandan Mishtri, resident of village-Laxmipur,
Post+P.S.-Mehush, Anchal-Ghatkusumbha, District-Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary, Land and Revenue Department, Govt. of Bihar, Patna.
3. The District Magistrate, Sheikhpura.
4. The Sub-Divisional Officer, Sheikhpura.
5. The Circle Officer, Ghat Kusumbha, District-Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-07-2024 Defects pointed out by the registry are ignored.

2. The present writ petition has been filed seeking the following relief:-

“1. (i) For a direction to the respondents specially to the Respondent no.5 the Circle Officer, Ghat Kusumbha to conclude the Public Land Encroachment Case No.-42/2016-17 with its logical conclusion as take a final decision and to remove the encroachment of the land in question situated at Mauza-Gangaur, Khata No.-131, Khesra No.85, Area-44 decimals nature of land Pain (Gairmajarua Aam) and Khesra No. 33, Area 20 Decimal nature Pokhar (Gairmajarua Aam)



which have been encroached by several persons which would be cleared from the report 08.08.16 of Ghatkusumbha. Anchal dt. Amin, Ghatkusumbha.

(ii) Further for a direction to the respondent to remove the encroachment over the land in question.

(iii) Further for a direction to pay the compensation to the petitioner for damages and mentally and physically harassment."

3. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Ghat Kusumbha, District-Sheikhpura to conclude the proceeding of the pending Encroachment Case No.42 of 2016-17, within a stipulated time frame.

4. *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.

5. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Ghat Kusumbha, District-Sheikhpura



to conclude the proceeding of the aforesaid Encroachment Case No.42 of 2016-17, 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.

6. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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