

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15235 of 2018

Shanti Devi W/o Binod Kumar Sah, resident of Village- Shyama gadh hat
Kantiya, P.O. Sonali, P.S. Kadwa, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Sub- Divisional Officer S.D.O. Katihar
3. The Block Development Officer, Kadwa, Katihar.
4. The Circle Officer, C.O Kadwa, Katihar.
5. Rajendra Kumar Mandal @ Raju Mandal S/o Late Annup Lal Mandal,
resident of Village- Mali Tola, Palagar, P.O. Sonali, P.S. Kadwa, District-
Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sandeep Patil, Advocate

For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 11-09-2024 The present writ petition has been filed
seeking the following relief:-

*"1. That the petitioner seeks direction /
directions, order/orders and issuance
of writ of Mandamus, directing the
state authority, i.e. respondents no.1
to 4 to release encroachment made
over public road (P.W.D), situated at
survey plot no. 1119, towards plot
no.1123 in Mauza-Kantia, Thana. 488,
Block-Kadwa, District- Katihar, which is
used by the villagers for going to the
cremation ground, situated at survey
Plot No. 1128 in Mauza-Kantia. The
Respondent No. 5 has encroached the
road."*

2. At the outset, the learned counsel for the



respondent-State submits that the Circle Officer, Kadwa, District-Katihar has already initiated encroachment proceedings vide Encroachment Case No. 01 of 2019-20 and the same would definitely be concluded within a stipulated time frame, as is fixed by this Court.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Kadwa, District-Katihar to dispose off the aforesaid Encroachment Case No. 01 of 2019-20, 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.

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

(Mohit Kumar Shah, J)

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