

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20735 of 2014

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Ravindra Kumar Pandey @ Chaturanand Pandey son of Sri Rameshwar Pandey, Resident of Village - Bjatwalia, P.S. Sangrampur, District - East Champaran .

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, East Champaran at Motihari.
3. The D.C.L.R. Sadar Motihari, East Champaran.
4. The Circle Officer Circle, Sangrampur, East Champaran.
5. Ram Bahadur Singh, son of Late Kunjan Silngh, Resident of Village - Narulaha Bhatwalia, P.S.0- Sangrampur, District-East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shakil Ahmad Khan, Advocate
For the State	:	Mr. Ramadhar Singh, GP-25
For respondent no.5	:	Ms. Anu Priyadarshi, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-07-2024 The present writ petition has been filed seeking the following reliefs:-

“(i) For that the respondent be directed to remove encroachment from the lands belongs to Government upgraded Middle School Narulaha, Pandey Tola, Bhatwalia, P.S. Sangrampur, District East Champaran bearing Khata No.205 Khesra No. 3263 measuring an area of 7 Katha 10 Dhur, which is a school and it is encroached by the Respondent no. 5.

(ii) For that respondents be further directed to vacate the aforesaid land as early as possible from the Respondent no. 5.



(iii) For that respondents be further directed to remove encroachment from the land of school, which is encroached by the Private respondent?"

2. It is the submission of the learned counsel for the petitioner that the Circle Officer, Sangrampur, District- East Champaran at Motihari has held the private respondent no.5 to be encroacher in connection with Encroachment Case No.06 of 2013-14, however the same is disputed by the learned counsel appearing for the respondent-State, inasmuch as it is his submission that the private respondent no.5 had disputed the findings of the Circle Officer, Sangrampur, whereafter, fresh measurement was conducted and then it has been found that he has not encroached any public land, hence encroachment proceeding in question has already been dropped.

3. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid decision of the Circle Officer, Sangrampur, East Champaran



to drop the encroachment proceeding, by filing appropriate appeal. Liberty so sought is granted.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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