

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11602 of 2024

Shanti Devi Wife of Nirmal Mandal, (Retired Army Man), Resident of
Village- Sansarpur, P.S.- Muffasil, District- Khagariya, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reform, Govt. of Bihar, Patna.
3. The District Collector, Khagariya.
4. The Land Acquisition Officer, Khagaria.
5. The Circle Officer, Khagariya, District- Khagariya.
6. Bhuto Yadav, Son of Adhik Yadav, Resident of village- Hardaschak, P.S.-
Muffasil, District- Khagariya.
7. Mahesh Ram, Son of Saryug Ram, Resident of village- Hardaschak, P.S.-
Muffasil, District- Khagariya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Satyendra Kumar Sinha, Advocate
For the State	:	Mr. Sunil Kumar Mandal, SC-3
		Mr. Arjun Prasad, AC to SC-3

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-08-2024 The present writ petition has been filed seeking the
following relief:-

*“1.(1) A direction may be given to the respondent No-3 to
5 to dispose off the Encroachment Case No.-31/2018-19
pending before the Anchal Adhikari, Khagaria and clear
the approach road of the land of Petitioner of Mauza-
Hardaschake. Khata No.- 45 Survey Plot No.- 337, 357
Area 10 decimals which was given to the petitioner by the
State of Bihar in the year 1995 by issuance of Purcha
instead of land acquisition of the petitioner by the State
Of Bihar, for the purpose/construction of D.M./C.S.and*



other officers quarter or allot another free land/plot to the petitioner. Presently private Respondents No. 6 & 7, namely, Bhuto Yadav S/O-Adhik Yadav and Mahesh Ram S/O Saryug Ram have encroached the approach Road of the petitioner by constructing wall on the road before the allotment.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Khagaria, District-Khagaria to conclude the proceeding of the pending Encroachment Case No.31 of 2018-19, within a stipulated time frame.

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, Khagaria, District-Khagaria to conclude the proceeding of the aforesaid Encroachment Case No.31 of 2018-19, 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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