

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10900 of 2024**

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Maya Yadav son of Late Raghunandan Yadav @ Raghun Yadav, resident of Village Parsauni Tapshi, Ward No. 9, Inrwa Tola, Haraiya, P.S. Palanwa, District East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate cum Collector, Motihari, East Champaran.
3. The Land Reforms cum Deputy Collector, Raxaul, Motihari, East Champaran.
4. S.D.O. Raxaul, District East Champaran Motihari.
5. The Circle Officer, Raxaul, East Champaran Motihari.
6. The Anchal Amin, Raxaul, East Champaran Motihari.
7. Jagdish Das, son of Late Ramautar Das, resident of Village Parsauni Tapshi, Ward No. 9, P.S. Palanwa, District East Champaran, Motihari.
8. Satnarayan Das, son of Late Laxaman Das, resident of Village Parsauni Tapshi, Ward No. 9, P.S. Palanwa, District East Champaran, Motihari.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Rajesh Kumar, Advocate       |
| For the Respondent/s | : | Mr.Vinay Kirti Singh, GA-2      |
|                      |   | Mr.Sumant Kr. Singh, AC to GA-2 |

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      06-08-2024                      1. The present writ petition has been filed seeking the following relief(s):-

*“1. That this is an application for issuance of writ/writs, order/orders, direction/directions, mandamus to the respondent No.2 (The District Magistrate East Champaran Motihari), and Respondent No.5 (The Circle Officer Raxaul, Motihari, East Champaran) to get the Mali Gairmazarua Aam/Gairmazarua Land vacated,*



*which is a road, appertaining to Khata No. 190, Khesra No. 768, total area 22 Decimal, situated in village Parshaunia Tapasi Road Ward No. 9 P.S. Palanwa, district East Champaran, Motihari and also give direction to C.O., Raxaul (Respondent No.5) to dispose off the Encroachment Case No. 3/23- 24”*

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Raxaul, East Champaran Motihari to dispose off the pending Encroachment Case No.03 of 2023-24.

3. Per contra, the learned counsel for the respondent-State submits that in case the proceedings of the aforesaid encroachment case is still pending, the same shall be disposed off, within a stipulated time frame, as is fixed by this Hon’ble Court.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Raxaul, East Champaran Motihari to dispose off the aforesaid encroachment case 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)**

Saurav/-

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