

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11125 of 2024**

Md. Shakir Son of Aji Miyan, resident of Village-Sirsiya Kala, Post-Sirsiya Kala, P.S.-Adapur, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate cum Collector, East Champaran.
2. The Sub-Divisional Officer, Raxaul, East Champaran.
3. The Circle Officer, Adapur, East Champaran.
4. The S.H.O. Adapur, East Champaran.
5. Chabila Bhagat, Son of Mosafir Bhagat, resident of Village-Sirsiya Kala, Post-Sirsiya Kala, P.S.-Adapur, District-East Champaran.
6. Ramdhari Bhagat, son of Nathuni Bhagat, resident of Village-Sirsiya Kala, Post-Sirsiya Kala, P.S.-Adapur, District-East Champaran.
7. Chokat Bhagat, son of Shiv Narayan Bhagat, resident of Village-Sirsiya Kala, Post-Sirsiya Kala, P.S.-Adapur, District-East Champaran.
8. Rama Nand Bhagat, son of Shiv Narayan Bhagat, resident of Village-Sirsiya Kala, Post-Sirsiya Kala, P.S.-Adapur, District-East Champaran.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate  
For the Respondent/s : Mr.Standing Counsel (11)

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

2      06-08-2024      The present writ petition has been filed  
seeking the following relief:-

*“1. That the instant writ application is being filed for issuance of a writ in the nature of Mandamus directing the concerned authorities to remove the encroachment made by the private respondent over Khata No.241, khesra No.1424 area which is Gairmajarua Aam Road and has*



*been encroached by the private respondent and despite making a complaint and notice issued to the private respondent in Encroachment Case No.4/15-16/5/2015-16 for removing the encroachment the concerned authorities have not removed the encroachment thereby causing great inconvenience to the public and for other necessary relief relief/s to which the petitioner may be found entitled to in the facts of the case.”*

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Adapur, District-East Champaran, to dispose off the pending Encroachment Case Nos. 4/2015-16 and 5/2015-16.

3. *Per contra*, the learned counsel for the respondent-State submits that in case the aforesaid Encroachment Cases are still pending, the same would definitely be disposed off 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, Adapur, District-East



Champaran to dispose off the aforesaid Encroachment Case Nos. 4/2015-16 and 5/2015-16, in case the same are still pending, by passing the final orders 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)**

S.Sb/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

