

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12107 of 2024

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Vishal Kumar Son of Shri Rajeshwar Prasad, Resident of Mohalla-Sonapatti,
Ward No. 8, Chakmahila, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The District Magistrate -cum-Collector, Sitamarhi.
4. The Superintendent of Police, Sitamarhi.
5. The Sub-Divisional Public Complaint Redressal Officer, Sitamarhi Sadar, District- Sitamarhi.
6. The Sub-Divisional Officer, Sadar Sitamarhi, District- Sitamarhi.
7. The Circle Officer, Dumra, District- Sitamarhi.
8. The Station Head Officer, Sitamarhi Police Station, District- Sitamarhi.
9. Shri Nagendra Chaudhary, Son of Late Chulhai Chaudhary, Resident of Village- Bhuthi, P.S.Sonbarsa, District- Sitamarhi.
10. Shri Ravindra Chaudhary, Son of Late Chulhai Chaudhary, Resident of Village- Bhuthi, P.S.Sonbarsa, District- Sitamarhi.
11. Shri Ravi Chaudhary, Son of Late Chulhai Chaudhary, Resident of Village- Bhuthi, P.S.Sonbarsa, District- Sitamarhi.
12. Smt. Ram Dulari Devi @ Bhakurawali, Wife of Late Bhola Chaudhary, Resident of Village- Bhuthi, P.S.Sonbarsa, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pushpendra Kumar Singh, Advocate
For the State	:	Mr. Raghwendra Kumar, SC-22

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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(i)For issuance of an appropriate writ in the nature of MANDAMUS,commanding and directing the Respondent no.7 to dispose off the Encroachment Case No.04 of



2022-23 lodged before him under Section 3 of the Bihar Public Land Encroachment Act, 1956, pursuant to the report submitted by the Anchal Amin upon complaint filed by the petitioner for removal of encroachment over the land of Ring Bandh bearing Plot No.374, situated in front of the land of the petitioner bearing Plot No.377 situated at Badi Bazar, Ward No.1, P.S. Sitamarhi, District-Sitamarhi, forthwith.

(ii) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities to ensure removal of the encroachment made over Ring Bandh bearing Khesra No.374, situated in front of the land of the petitioner bearing Plot No.377, situated at Badi Bazar, Ward No.1, P.S. Sitamarhi, District - Sitamarhi which has been illegally encroached by the private Respondents by making hutment in which they are running illegal business of sale of toddy and liquor though its sale and purchase is completely banned in the State of Bihar, on the ground that encroachment of the public land by the private Respondents causes obstruction of the road as well as serious inconvenience to the petitioner and other public in passing through the road

(iii) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities to take suitable action against the Respondent nos.6, 7 and 8, who have failed to discharge their public duties, i.e. removal of encroachment made over the public land as also to stop the illegal business in their territorial jurisdiction.”



2. Considering the relief sought for in the present writ petition, I deem it fit and proper to direct the Circle Officer, Dumra, District-Sitamarhi to expedite the proceedings of the pending Encroachment Case No.04 of 2022-23 and pass 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.

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

(Mohit Kumar Shah, J)

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