

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11482 of 2024

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Poonam Devi Wife of Narendra Giri, Resident of Village- Bhathwa Bazar,
P.S.- Kateya, Anchal Panchdeori, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Bihar Land Reforms and Revenue Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Gopalganj.
3. The Additional District Magistrate-cum-Additional Collector, Gopalganj.
4. The Sub-Divisional Officer, Hathua, District- Gopalganj.
5. The Circle Officer, Panchdeori, District- Gopalganj.
6. The Anchal Amin, Circle Office Panchadeori, District- Gopalganj.
7. Geeta Devi, Wife of Late Devendra Giri, Resident of Village- Bhathwa Bazar, P.S.- Kateya, Anchal Panchdeori, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad, Advocate
For the Respondent/s : Mr. S.D. Yadav, AAG-9

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

“1. (i) To issue an appropriate writ in the nature of writ of Mandamus directing the respondents to remove the encroachment from the public land bearing Khata No. 48, Survey No. 369 which is mentioned in Khatian as Aam Gairmazarua Rasta situated in the village Bhathwa Bazar, P.S. Kateya, Anchal Panchdeori, District-Gopalganj, on



which encroachment has been made by Private Respondent No. 7 namely Geeta Devi by putting Hut, Nad, Khuta and Bakhar and due to which, Rasta has been closed;

(ii) To issue an appropriate writ in the nature of writ of Mandamus directing the Respondent No. 5 i.e. the Circle Officer to comply the order / direction passed by the Sub-Divisional Public Grievance Redressal Officer dated 13.07.2021 and the order/direction dated 27.10.2021 passed by the learned Additional Collector-cum-1st Appellate Authority, Gopalganj."

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Panchdeori, District-Gopalganj, to dispose off the pending Encroachment Case No. 3 of 2021-22.

3. *Per contra*, the learned counsel for the respondent-State submits that in case the aforesaid Encroachment Case is 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, Panchdeori, District-Gopalganj to dispose off the aforesaid Encroachment Case No. 3 of 2021-22, in case the same is still pending, 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)

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