

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11933 of 2024

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Manoj Kumar Yadav Son of Hajari Prasad Yadav Resident of Village-
Barharawa Kala, Purvi, P.S.- Kotwa, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector-cum- District Magistrate, East Champaran, Motihari.
3. The Additional Collector, Land Reforms, East Champaran, Motihari.
4. The Circle Officer, Kotwa, East Champaran, Motihari.
5. Ram Babu Sah, Son of Narayan Sah Resident of Village- Barharawa Kala, Purvi, P.S.- Kotwa, District- East Champaran.
6. Biltu Sahani, Son of Late Lakshmi Sah Resident of Village- Barharawa Kala, Purvi, P.S.- Kotwa, District- East Champaran.
7. Kishore Sah, Son of Late Lakshmi Sah Resident of Village- Barharawa Kala, Purvi, P.S.- Kotwa, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Adv.
For the Respondent/s : Mr.Government Pleader (4)

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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 reliefs:-

“1(i). For commanding the respondent to remove encroachment made over the public land, appertaining to Khata No. 629, Khesra No. 4325, total Area 6.5 decimal, which has been encroached by respondents No. 5 to 7 by the



constructing straw house.

(ii). Also for directing the respondent to conclude the encroachment proceeding bearing Encroachment Appeal No. 63/2022, filed by the petitioner against the order dated 10.03.2021, passed in Encroachment Case No. 31 of 2020-2021, whereby and whereunder the learned Circle Officer has dropped the Encroachment proceeding, relying upon forged and fabricated document with regard to the settlement of the land in question, which is a public land i.e. Aam Gairmazarua.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Respondent No. 2 i.e. the Collector-cum-District Magistrate, East Champaran at Motihari, to dispose off the pending Encroachment Appeal Case No. 63 of 2022, within a fixed time frame.

3. *Per contra*, the learned counsel for the Respondent-State submits that if the aforesaid appeal is pending, it shall be disposed off, within a fixed time frame.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the respondent No. 2 to dispose off the aforesaid appeal, if the same is still pending, by passing a reasoned and a speaking order, in accordance with law, within a period of six weeks of receipt / production of a copy of this



order.

5. Accordingly, the present writ petition stands disposed off
on the aforesaid terms.

(Mohit Kumar Shah, J)

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