

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13890 of 2023

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Ashok Kumar Jha Son of Late Sobha Nand Jha, Resident of Village-
Ghoghardiha ward no. 10, PO and P.S- Ghoghardiha, Dist- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Department of Revenue and Land Reforms Bihar, Patna.
2. The Divisional Commissioner, Darbhanga Division, Darbhanga.
3. The Collector cum District Magistrate Madhubani, Madhubani.
4. The Sub- Divisional Officer-Ful Paras, District Madhubani.
5. The Dy. Collector Land Reforms-Ful Paras, District- Madhubani.
6. The Circle Officer Ghoghardiha, District- Madhubani.
7. Bidyanand Jha, S/o Late Chhedi Jha, Resident of Village- Ghoghardiha PO - Ghoghardiha, Dist- Madhubani.
8. Ram Krishna Jha, S/o Late Bhagirath Jha, Resident of Village- Ghoghardiha PO - Ghoghardiha, Dist- Madhubani.
9. Pawan Jha, S/o Surya Narayan Jha, Resident of Village- Ghoghardiha PO - Ghoghardiha, Dist- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Chandeshwar Prasad, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 16-07-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1(i) To issue an appropriate order/orders including writ in the nature of mandamus commanding and directing the respondent no-6 to remove the 20 feet encroachment from the public road situated in ward no. 10 Ghoghardiha Nagar Panchayat appertaining to New Khesara No-1035 and Old Khesra No 570



District Madhubani, encroached by the private respondents.

(ii) To direct the respondent no.06 to initiate encroachment proceedings in terms of provisions as contained in Public Land encroachment Act 1956 and remove encroachment from the above mentioned land taking into the consideration that due to encroachment, public at large is facing inconvenience in passing through the road.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Ghoghardiha, District- Madhubani to conclude the proceedings of the pending Encroachment Case No.12 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, Ghoghardiha, District- Madhubani 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 afore-said terms.

(Mohit Kumar Shah, J)

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