

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13455 of 2024

1. Sunil Ram S/o Bhikhu Ram, Resident of village- Dular Patti, Naya Tola, P.S. - Sanichari, Dist. - West Champaran, Presently residing at village- Ujjain Tola, Buddha Colony, P.S. Bettiah Muffasil, Dist. - West Champaran.
2. Bubdlesh Kumar Mohit, S/o Subash Ravidas, Resident of village- Ujjain Tola, Buddha Colony, P.S.- Bettiah Muffasil, Dist.- West Champaran.
3. Shambhu Ram, S/o Bhola Ram, Resident of village- Ujjain Tola, Buddha Colony, P.S.- Bettiah Muffasil, Dist .- West Champaran.
4. Subash Ram, S/o Sakaldeo Ram, Resident of village- Ujjain Tola, Buddha Colony, P.S.- Bettiah Muffasil, Dist .- West Champaran.
5. Pappu Kumar Mishra, S/o Sarba Mishra, Resident of village- Ujjain Tola, Buddha Colony, P.S.- Bettiah Muffasil, Dist .- West Champaran.
6. Akhilesh Prasad, S/o Ganesh Mahto, Resident of village - Ujjain Tola, Buddha Colony, P.S. - Bettiah Muffasil, Dist - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-cum-District Magistrate, West Champaran at Bettiah.
2. The Collector-cum-District Magistrate, West Champaran at Bettiah.
3. The Sub-Divisional Officer, Bettiah Sadar, District- West Champaran.
4. The Circle Officer, Bettiah Block, Bettiah, District - West Champaran.
5. The Officer-in-Charge, Bettiah Muffasil Police Station, Bettiah, Dist. - West Champaran.
6. The Manager, Bettiah Raj , Bettiah, Dist.- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Advocate Mr. Sitesh Kashyap, Advocate Mr. Bharti Rai, Advocate Mr. Md. Dilshad Alam, Advocate
For the State	:	Standing Counsel 7

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH



ORAL ORDER

3 23-09-2024 Though the present writ petition has been filed for restraining the respondent-State from demolishing the houses of the petitioners, situated at Mauja-Ujjain, Tola- Bettiah Block, West Champaran, appertaining to Khata No.2, Plot No.314 & 317, however, it is submitted by the learned counsel for the respondent-State, by referring to the counter affidavit filed in the present case, that the encroachment in question had already been removed earlier in compliance of the order dated 12.05.2005, passed by the learned Division Bench of this Court, in CWJC No.12413 of 2004 (Maharani Janki Kunwar Medical College Niramn Sangarsh Samiti vs. the State of Bihar & Ors), but the same has again resurfaced, hence steps have been taken for removal of the encroachment in question, by initiating encroachment proceedings, vide Encroachment Case No.1 of 2023-24 and notice, under Section 3 of the Bihar Public Land Encroachment Act, 1956, has already been issued by the Circle Officer, Bettiah to the encroachers, thus the said encroachment proceedings would definitely be concluded, in accordance with law and the final order shall be passed, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, within a period of six weeks from today and till then, no coercive action shall be taken against the petitioners/encroachers. It is directed, accordingly.



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

(Mohit Kumar Shah, J)

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