

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13273 of 2023

=====

Nawid Asgar Son of Mohammad Asgar, Resident of Village -Karanpura, P.O.-
Basopalli, Anchal -Siwan Sadar, P.S.- Muffassil, District- Siwan (Bihar), PIN
Code-841227.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. The Additional Chief Secretary, Department of Home, Government of Bihar,
Old Secretariat, Patna.
3. The Additional Chief Secretary -cum- Principal Secretary, Revenue and
Land Reforms Department, Govt. of Bihar, Old Secretariat Patna.
4. The Commissioner, Saran Division, Siwan.
5. The District Magistrate, District Collector, Siwan.
6. The Superintendent of Police, Siwan.
7. The Sub-Divisional Officer, Siwan.
8. The Additional District Magistrate /Collector, Siwan.
9. The Land Reforms Deputy Collector, Siwan Sadar, Siwan.
10. The Circle Officer, Siwan Sadar, Siwan.
11. The Officer Incharge/S.H.O. Muffassil, Siwan.
12. The Halka Karamchari, Siwan Sadar, Siwan.
13. The Anchal Amin Siwan Sadar, Siwan.
14. The Chairman, Bihar State Shia Wakf Board, Haj Bhawan, IInd Floor, 34 Ali
Imam Path, Harding Road, Patna -800001.
15. The Chairman, District Shia Aaukaf Committee, Siwan.
16. The Chief Executive Officer, Bihar State Shia Wakf Board, Patna.
17. The Assistant Director, Minority Welfare Siwan.
18. The Assistant-cum- Supervisor, Bihar State Shia Wakf Board, Patna, Haj
Bhawan, 24 Ali Imam Path, Harding Road, Patna -800001.
19. Mukhiya, Gram Panchayat Raj Karpura, Siwan.

... .. Respondents

=====

Appearance :

For the Petitioner/s	:	Mrs. Namrata Mishra, Advocate
	:	Mr. Manish, Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha, SC19

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 10-12-2024

1. Though the present petition has been filed for



removal of encroachment made by the encroachers upon the land appertaining to Khata No. 109, Khesra No.2167, as also upon the land appertaining to Khata No.143, Khesra No. 2166, situated at Mauza-Karnpura, Thana No.260, Block-Siwan Sadar, Distric-Siwan, however, at the outset, the learned counsel appearing for the respondent-State has submitted by referring to the counter affidavit filed in the present case, that the Circle Officer, Siwan, Sadar i.e. the respondent no. 10 has already initiated encroachment proceedings vide Encroachment Case No. 07 of 2023 and the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (herein after referred to as the “Act, 1956”) shall definitely be passed after hearing the affected parties, within a stipulated time frame as is fixed by this Court.

2. At this juncture, the learned counsel appearing for the private respondent no.19 submits that the dispute is regarding measurement and demarcation.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Siwan, Sadar to conclude the proceedings of the aforesaid Encroachment Case No. 07 of 2023, by passing the final order under Section 6(1) of the 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, in case the final order has not yet been passed.

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

(Mohit Kumar Shah, J)

Suruchi/-

U			
---	--	--	--

