

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15012 of 2024

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Md. Shabbir Ahamd Son of Md Badruddin Resident of village Auraiya, PS
Dhaka, District- East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate -cum Collector, East Champaran Motihari.
3. The Additional Collector, East Champaran Motihari.
4. The sub-divisional Magistrate, Sikharana Motihari.
5. The Deputy collector, Land Reforms, Sikharana Dhaka.
6. The Anchaladhikari , Dhaka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nand Gopal Mishra, Advocate
For the Respondent/s : Government Advocate (5)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-10-2024 The present writ petition has been filed
seeking the following relief:-

*“1 (i) Issuance of a writ in the nature of Mandamus or any other appropriate writ/order or direction to the respondent, specially the Respondent No. 6, i.e. the Anchaladhikari-Dhaka to remove the illegal encroachment forthwith from the public land (road in village-Auraiya, appertaining to khata no. 15, khesra no. 1018.
(ii) Issuance of appropriate writ/ order / direction to the respondent*



Anchaladhikari-Dhaka to take immediate steps to stop further encroachment, which is being made in the form of pucca house upon the land in question.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Dhaka, District-East Champaran, Motihari, to conclude the proceedings of the pending Encroachment Case No. 21 of 2016-17.

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 concluded 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, Dhaka, District-East Champaran, Motihari to conclude the proceedings of the aforesaid Encroachment Case No. 21 of 2016-17, 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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