

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14804 of 2023

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Ranjeet Kumar Rai S/o-Jagarnath Rai R/o-Lachhu Chapar, P.O.-Pokhariya Ray, P.S.- Chanpatia, Distt-W.Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
3. The Principal Secretary, Revenue and Land Reform Department, Government of Bihar, Patna.
4. The District Magistrate, West Champaran.
5. The Civil Surgeon, West Champaran.
6. The Circle Officer, Chanpatia, Distt.-West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shyam Sundar Kumar, Advocate
For the Respondent/s : Mr.Rajeshwar Singh (Ga 10)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(I) For issuance of writ(s)/ direction(s) in the name of respondent no-6 to dispose the Encroachment Case no- 19/22-23 which is pending before him, the same has been initiated for removal of encroachment over a piece of Gair Mazarua land situated in Village Lachhuchhapar bearing Thana no-55, Khata No- 19, Khesra No-116 area 3.86 acre which has been finalized / selected for construction of Additional Primary Health Centre.



(II) Further prays for issuance of direction in the name of respondents to construct the Additional Primary Health Centre on the aforesaid selected site and not to shift the same somewhere else on the name of encroachment because shifting will affect the local resident of that area adversely as there is no any government hospital in said area.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the respondent no.6 i.e. the Circle Officer, Chanpatia, District-West Champaran to dispose off the pending Encroachment Case No.19 of 2022-23.

3. The learned counsel for the respondent-State submits that in case the aforesaid encroachment case bearing Encroachment Case No.19 of 2022-23, is still pending consideration, the same would definitely be disposed off, 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 respondent no.6 i.e. the Circle Officer, Chanpatia, District-West Champaran to dispose off the aforesaid encroachment case, bearing Encroachment Case No.19 of 2022-23, 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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