

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17203 of 2023

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Ramashray Singh Son of Kapildeo Singh, Resident of Village - Sarsu, P.S.
Atri, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Gaya.
2. The District Magistrate, Gaya.
3. The Sub-Divisional Magistrate, Neemchak Bathani, District - Gaya.
4. The Circle Officer, Mohra Block, District - Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Adv.
For the Respondent/s : Mr.Rishi Raj Sinha (SC-19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-08-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1. That this is an application for issuance of an appropriate writ/writs, order/orders, direction/directions to the respondent authorities, particularly the respondent District Magistrate, Gaya and Circle Officer, Block Mohra to get the Plot No. 2947, 3006 and 3015 of Khata No. 895 situated at Village- Sarsu Block Mohra, District Gaya, vacated in presence of a senior magistrate and concerned village people and initiate proper proceeding and take action for removal of encroachment as the above said plots (land) are public land and Aam Rasta, which by the passage of time have been encroached by the village people, who have their houses on both sides of the



Rasta (Gali) and have made constructions over there, which has caused problem for the village people and it has become difficult to pass through the Rasta on account of encroachment and constructions made over there.”

2. At the outset, the learned counsel for the petitioner submits that the encroachment proceedings in question, vide Encroachment Case No.3 of 2021-22 and 5 of 2021-22, initiated by the Circle Officer, Mohra Block, District-Gaya, has already been concluded and final order has been passed, however, encroachment in question is not being removed.

3. In view of the aforesaid submissions advanced by the learned counsel for the petitioner, I deem it fit and proper to grant liberty to the petitioner to approach the Circle Officer, Mohra Block, District-Gaya, for expediting the aforesaid encroachment proceedings, for the purposes of removal of the illegal encroachment in question. Liberty so sought is granted.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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