IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16153 of 2023

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Deepak Kumar Son of Late Siya Ram Ray, Resident of Village- Pharna, (Chhapra Par), P.O. - Lauhar Farna, P.S.- Barhara, District - Bhojpur.

... ... Petitioner/s

Versus

1. The State of Bihar through The District Magistrate, Bhojpur, Ara.
2. The District Magistrate-cum-Second Appellate Authority, Bhojpur, Ara.
3. The Additional Collector (Public Grievances Redressal)-cum-First Appellate Authority, Bhojpur, Ara.
4. The Sub-Divisional Officer (Public Grievances Redressal), Ara Sadar, Ara, Bhojpur.
5. The Circle Officer, Block - Barhara, Ara, District - Bhojpur.
6. The S.H.O., P.S. - Barhara, District - Bhojpur.
7. The Revenue Karamchari, Circle- Barhara, Bhojpur.
8. The Anchal Amin, Barhara, District - Bhojpur.
9. Anand Kishore Ray, Son of Late Ramagya Ray, Resident of Village - Pharna, (Chhapra Par), P.O. - Lauhar Farna, P.S. - Barhara, District - Bhojpur.
10. Kameshwar Ray, Son of Ram Ishwar Ray, Resident of Village - Pharna, (Chhapra Par), P.O.- Lauhar Farna, P.S. - Barhara, District - Bhojpur.
11. Shashi Bhushan Ray, Son of Ram Ishwar Ray, Resident of Village Pharna, (Chhapra Par), P.O. - Lauhar Farna, P.S. - Barhara, District - Bhojpur.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jagjit Roshan, Adv.
For the Respondent/s	:	Mr.Rishi Raj Sinha (Sc19)
		Mr. Atul Shankar, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 25-06-2024 The present writ petition has been filed seeking the following reliefs:-

> "1(i). Issuance of writ or writ in the nature of mandamus directing the Respondents to remove the illegal Construction / Encroachment from the Government land bearing Khata No.585, Kheshra

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No. 599, Thana No.64, Mauza-Pharna, Anchal Barhara, Bhojpur which is Government Public Road (Rasta) and also from Khata No. 584, Kheshra No. 605, Thana No. 64, Mauza Pharna, Anchal-Barhara, Bhojpur which is Government Vacant land in the light of Measurement Report (Annexure -5 Series) and also in the light Order passed in Encroachment Case No. - 12 of 2022-2023. Further, prayer is also to remove the illegal Construction/Encroachment from Khata No.584, Kheshra No. 606, Thana No. 64, Mauza Pharna, Anchal- Barhara, Bhojpur which is a Government Ditch (Gadda).

(ii). Issuance of Writ in the nature of mandamus directing the Respondents to supply the Final Order and other relevant papers/ information of the Encroachment Case No. 12 of 2022-2023 to the Petitioner which is not being supplied by the Respondents."

2. At the outset, the learned counsel for the Respondent-State submits that notices under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as "the Act, 1956") have been issued to the encroachers by the Respondent No. 5 i.e. the Circle Officer, Barhara, District-Bhojpur at Ara, in connection with Encroachment Case No. 12 of 2022-23 and upon receipt of their objections, the final order under Section

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6(1) of the Act, 1956 shall be passed.

3. At this juncture, the learned counsel for the petitioner seeks a direction upon the Respondent No. 5 to expedite the proceedings of the aforesaid Encroachment Case No. 12 of 2022-23.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Respondent No. 5 to conclude the proceedings of the aforesaid Encroachment Case No. 12 of 2022-23, 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 eight weeks of receipt / production of a copy of this order.

5. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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