

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16086 of 2023

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Nigamdev Yadav Son of Late Hari Yadav, Resident of Village - Dhamar, Post Office - Chandi Mau, Police Station - Rajgir, District- Nalanda (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar.
2. The Additional Secretary, Revenue and Land Reforms Department, Government of Bihar.
3. The District Magistrate, Nalanda cum Second Appellate Authority under The Bihar Right to Public Grievance Redressal Act, 2015
4. The Additional Collector, Nalanda cum First Appellate Authority under the Bihar Right to Public Grievance Redressal Act, 20156
5. The Sub- Divisional Public Grievance Redressal Officer, Sub- Division - Rajgir (Nalanda).
6. The Circle Officer, Silao, Nalanda (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Aklavya Chandan Kumar, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (Aag 12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-05-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of writ in the nature of 'Mandamus' for commanding and directing respondent authorities to take necessary action and steps for the purpose of removing encroachment over public land pertaining to Khata No. 160, Khesra No. 596, area- 07.05 acre of Pawadih mauza, village-Dhamar, Thana No. 447, Anchal-Silao, District-Nalanda by a number of villagers in violation of Bihar Public Land Encroachment Act, 1956 since the collector has not performed his duties under the



above-mentioned Act despite of repeated requests in writing.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the respondent no.6 i.e. the Circle Officer, Silao, District-Nalanda, Bihar to dispose off the pending Encroachment Case No.01 of 2023-24.

3. Per contra, the learned counsel for the respondent-State submits that in case the proceedings of the aforesaid encroachment case is still pending, the same shall be disposed off, within a stipulated time frame, as is fixed by this Hon’ble Court.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Silao, District-Nalanda, Bihar to dispose off the aforesaid encroachment case 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 eight 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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