

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16055 of 2024

Md. Zubair Alam @ Zubair Alam Son of Md. Ekramul Haque Ansari
Resident of Village- Semravrit, P.S.- Majhaulia, District- West Champaran.
... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reform, Govt. of Bihar, Patna.
2. The District Magistrate, West Champaran.
3. Circle Officer, Majhaulia Circle, District- West Champaran.
4. Revenue Clerk, Manjhaulia Circle, District- West Champaran.
5. Anchal Amin, Majhaulia Circle, District- West Champaran.
6. Ramayan Sah, S/o Chokar Sah Resident of Ahwar Shekhturha Toli, P.S.- Majhaulia, District- West Champaran.
7. Parmanand Sah, S/o Ramchandra Shah Resident of Ahwar Shekhturha Toli, P.S.- Majhaulia, District- West Champaran.
8. Heera Shah, S/o Late Phuldev Shah Resident of Ahwar Shekhturha Toli, P.S.- Majhaulia, District- West Champaran.
9. Rajesh Shah, Son of Chokar Shah Resident of Ahwar Shekhturha Toli, P.S.- Majhaulia, District- West Champaran.
10. Naresh Shah, S/o Chokar Shah Resident of Ahwar Shekhturha Toli, P.S.- Majhaulia, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ram Pravesh Nath Tiwari, Advocate
For the Respondent/s : Mr.Ravish Chandra, AC to SC-6

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-10-2024 1. The complain of the petitioner is that despite the final order having been passed by the Circle Officer, Majhaulia Circle, District-West Champaran on 20.01.2020, in connection with Encroachment Case No.07 of 2019-20, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, the encroachment in question, made over the public land, appertaining to Khata No.514, Khesra No.3841, Thana No.261,



situated at Mauza Ahwarsher, which is recorded as Gairmajarua Aam Road, has not been removed, hence the respondents be directed to take appropriate action with regard to removal of the encroachment in question.

2. Per contra, the learned counsel for the respondent-State submits that in case there is no other legal impediment, the aforesaid order dated 20.01.2020, shall definitely be enforced, forthwith.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the District Magistrate, West Champaran at Bettiah to ensure compliance of the order dated 20.01.2020, passed by the Circle Officer, Majhauria Circle, District-West Champaran, in connection with Encroachment Case No.07 of 2019-20 forthwith, in case there is no other legal impediment as also the aforesaid order dated 20.01.2020 has not been annulled by any higher forum/Court of law, by taking recourse to the due process of law.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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