

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15906 of 2023

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Sujeet Kumar Ram S/o Lakhiram Ram Resident of Village- Goda Semra,
Kathaiya, P.S.-Majhauria, Anchal-Majhauria, Dist.-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-cum-District Magistrate, West Champaran at Bettiah.
2. The Collector-Cum-District Magistrate, West Champaran at Bettiah.
3. The Additional Collector, Bettiah, West Champaran.
4. The Sub-Divisional Officer, Bettiah Sadar, Bettiah, Dist.-West Champaran.
5. The Circle Officer, Majhauria Block, Majhauria, District-West Champaran.
6. The Superintendent of Police , Bettiah, West Champaran.
7. The Officer-in-Charge, Majhauria Police Station, Majhauria, District-West Champaran.
8. Ramdev Ram S/o Late Raghunath Ram Resident of Village-Goda Semra, Kathaiya, P.S.-Majhauria, Anchal-Majhauria, Dist.-West Champaran.
9. Ramayan Ram S/o Late Sukdev Ram Resident of Village-Goda Semra, Kathaiya, P.S.-Majhauria, Anchal-Majhauria, Dist.-West Champaran.
10. Laxmi Ram @ Lakchiram Ram S/o Late Raghunath Ram Resident of Village-Goda Semra, Kathaiya, P.S.-Majhauria, Anchal-Majhauria, Dist.-West Champaran.
11. Ram Sakal Ram S/o Late Ramdeep Ram Resident of Village-Goda Semra, Kathaiya, P.S.-Majhauria, Anchal-Majhauria, Dist.-West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha (SC-19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-05-2024 The present writ petition has been filed
seeking the following reliefs:-

*“1. A. I. To remove all encroachment
done by the private respondents and
others from a piece of Gairmajarua
Aam Public road appertaining to
Thana No. 278, Khata No. 270, Plot
No. 2105 measuring 0.9 acre falling
within Mauza-Kathaiya of Majhauria
Block under West Champaran*



District as the land in question is a public road and on account of the encroachment in question the people at large and the petitioner in particular is facing serious inconvenience and the respondent no. 5 has passed final order in this regard in connection with Encroachment Case No. 16/2019-20 directing the private respondents to remove the encroachment in question, but, the encroachment is yet to be removed.

II. To direct the respondent no. 5 to remove the encroachment in question forthwith pursuant to passing of the final order as stated above.

III. To ensure once that the encroachment in question is removed, the same shall not re-appear over the subject land."

2. At the outset, the learned counsel for the petitioner seeks a direction upon the District Magistrate, Bettiah at West Champaran to ensure that the final order dated 25.03.2020 passed by the Circle Officer, Majhauria under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 in connection with Encroachment Case No. 16 of



2019-20 is enforced, forthwith.

3. *Per contra*, the learned counsel for the respondent-State submits that in case there is no other legal impediment, encroachment in question would definitely be removed, 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 District Magistrate, West Champaran at Bettiah to ensure that the final order dated 25.03.2020 passed by the Circle Officer, Majhaulia, as aforesaid, is enforced and the encroachers are removed, in accordance with law, in case there is no other legal impediment, 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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