

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17135 of 2023

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Md. Abbas @ Md. Abbas Kasmi Son of Rafikuddin, resident of Jalal Nagar,
Marar, P.S. Morkahi, District - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate cum District Collector, Khagaria.
3. The D.D.C. cum Executive Officer, Zila Parishad, Khagaria.
4. The Sub-divisional Officer, Khagaria.
5. The Block Development Officer, Parbatta Block, District Khagaria.
6. The Circle Officer Parbatta Block, District Khagaria.
7. The Executive Engineer, R.E.O., Rural Development Organization, Khagaria.
8. The District Public Grievance redressal Officer, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Binay Kumar, Adv.
For the State	:	Mr.Raj Kishore Roy (Gp 18)
For the Zila Parishad	:	Mr. Nikesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-08-2024 The present writ petition has been filed seeking the
following relief:-

“1(i). For issuance of an appropriate writ, order or direction commanding the respondent to remove encroachment from the Muslim Graveyard for which the respondents District Magistrate, the Sub-divisional Officer and Anchal Adhikari have issued directions and to complete the erection of boundary wall around the same by the fund, allotted by the State Government.”



2. At the outset, the learned counsel for the Respondent-State fairly submits that the encroachment in question shall be removed forthwith and the boundary wall shall also be constructed upon receipt of the funds.
3. Having regard to the fair stand taken by the Respondent-State, I deem it fit and proper to direct the District Magistrate, Khagaria, to ensure removal of the encroachment in question, in accordance with law and after hearing the affected parties, within a period of eight weeks from today.
4. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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