

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16711 of 2023

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Rampravesh Singh Son of Nar Singh, Resident of Village - Poari, P.S. -
Harnaut, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary, Department of Land Reforms and Revenue, Government of Bihar, Patna.
2. The Director, Land Reforms Department, Govt. of Bihar, Patna.
3. The District Magistrate, Nalanda at Biharsharif.
4. The Deputy Collector, Nalanda at Biharsharif.
5. The Sub-divisional Magistrate, Nalanda at Biharsharif.
6. The Public Officer, Nalanda at Biharsharif.
7. The Circle Officer, Harnaut, Nalanda at Biharsharif.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, 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 14-05-2024 The present writ petition has been filed
seeking the following relief:-

*“1. That this writ application is being
filed for a direction upon the
respondents to remove the
encroachment over the Gairmazarua
land situated at village-Poari, P.S.-
Harnaut bearing Khata No.401,
Khesra No.3627 measuring area 1.1
Acre, Nature-Gairmazarua Aam
Paeen, which has been forcefully
encroached by the persons of vested
interest who have filled with soil,*



constructed their houses and boundary wall over the aforesaid land causing inconvenience to the public at large including the petitioner. And/or pass such other order/orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case."

2. At the outset, the learned counsel for the respondent-State submits that an encroachment proceeding bearing Encroachment Case No. 06 of 2020-21 is pending consideration before the Circle Officer, Harnaut, Nalanda at Bihar Sharif and the same would definitely be taken to its logical conclusion in case there is no stay in the connected Title Suit No. 175 of 2021, pending before the learned Court of Sub-Judge-1st, Bihar Sharif.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Harnaut, Nalanda at Bihar Sharif to conclude the proceedings of the aforesaid Encroachment Case No. 06 of 2020-21, in case there is no stay in the pending suit, in accordance with law, and after hearing the



affected parties, by passing the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, within a period of six weeks of receipt/production of a copy of this order.

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

(Mohit Kumar Shah, J)

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