

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1008 of 2023

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Sk. Kamrul Hoda @ Kamrul Hoda S/O Late. Rafakat Hoda, R/O Village -
Bahuarwa, P.O - Pindari, P.S.- Mainatand, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, West Champaran, at Bettiah.
3. The Sub Divisional Officer, Narkatiaganj.
4. The Circle Officer, Mainatand, Distt. - West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva, Adv.
For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

12 19-11-2024 The present writ petition has been filed seeking the
following reliefs:-

“1(i). For issuance of an appropriate writ / or writs, order / or orders, direction or directions in the nature of mandamus, directing the respondents specially the Respondent no. 4 to remove the encroachment forthwith in the light of finding as well as Amin's measurement report, furnished in encroachment case no. 2/2001-2002, wherein it has been found that many persons have encroached the public road/ Kaisar Hind's land, which is situated in front of the shops of Zila parishad, at Maintained Bazar, Distt. West Champaran.

(ii). For declaring that not taking action on the finding arrived at in the previous encroachment



proceeding against the encroachers is totally lack of administrative effectiveness of the respondents, especially the Respondent no.4.”

2. At the outset, the learned counsel for the Respondent-State submits that though such encroachers, in whose favour jamabandi is still existing are not proposed to be disturbed of their possession over the land in question, however, due process of law shall be resorted to for removal of the encroachment made by other encroachers, who have illegally occupied the Government / public road / land, forthwith. It is directed accordingly.
3. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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