

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17705 of 2023

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Anupam Yadav Son of Jayram Yadav, Resident of Village - Kalyanpur, Police Station - Durgawati, District - Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Land Reforms and Revenue, Government of Bihar, Patna.
2. The District Magistrate, Bhahua, Kaimur.
3. The addl. Collector, Bhabhua, Kaimur.
4. The Sub divisional Officer, Bhabhua, Kaimur.
5. The Circle Officer, Durgawai, Bhabhua, Kaimur.
6. Lal Bahadur Singh, S/o Late Ram Suchit Singh, aged about not known, Resident of village - Kalyanpur, Police Station - Durgawati, District - Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shrawan Kumar Singh, Advocate
For the Respondent/s : Mr.Md. Raisul Haque (Sc 10)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-05-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1 That, this is an application for issuance of an appropriate writ and/or order and/or direction commanding the respondents to remove the encroachment from the government land (Anabad Bihar Sarkar) pertaining to khata No.365, Khesra No.793, Thana No.75, Area 0.09 Dec. at the earliest possible time. The aforesaid land has been used as lane for the last several years by villagers which has been encroached by the respondent no.6.”

2. At the outset, the learned counsel for the petitioner



seeks a direction upon the Circle Officer, Durgawai, Bhabhua, Kaimur to conclude the proceedings of the pending Encroachment Case No.31 of 2022-23.

3. The learned counsel for the respondent-State submits that he has instructions to submit that the aforesaid encroachment proceedings are pending on account of pendency of a title suit, bearing Title Suit No.666 of 2023, before the Civil Court of Kaimur (Bhabhua).

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the respondent no.5 to conclude the proceedings of the aforesaid Encroachment Case No.31 of 2022-23, by passing final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in case no interim orders have been passed in the aforesaid pending title suit, in accordance with law and after hearing the affected parties, within a period of six 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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