

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18818 of 2024

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Om Kumar Singh Son of Awadh Kishore Singh, Resident of village-
Bikrampur, P.S.- Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The Sub Divisional Officer, Sikarahana, Dhaka, District- East Champaran.
4. The Deputy Collector Land Reforms, Sikarahana, Dhaka, District- East Champaran.
5. The Circle Officer, Dhaka, District- East Champaran.
6. Satyanarayan Singh, Son of Mahendra Singh Resident of at village-
Bikrampur, P.S.- Dhaka, District- East Champaran.
7. Rajendra Singh, Son of Ram Naresh Singh Resident of at village-
Bikrampur, P.S.- Dhaka, District- East Champaran.
8. Bijali Singh, Son of Ram Naresh Singh Resident of at village- Bikrampur,
P.S.- Dhaka, District- East Champaran.
9. Ram Pravesh Singh, Son of Ram Naresh Singh Resident of at village-
Bikrampur, P.S.- Dhaka, District- East Champaran.
10. Shiv Shankar Pal, Son of Binda Pal Resident of at village- Bikrampur, P.S.-
Dhaka, District- East Champaran.
11. Ramnath Pal, Son of Binda Pal Resident of at village- Bikrampur, P.S.-
Dhaka, District- East Champaran.
12. Ravindra Pal, Son of Binda Pal Resident of at village- Bikrampur, P.S.-
Dhaka, District- East Champaran.
13. Umesh Pal, Son of Ramdeo Pal Resident of at village- Bikrampur, P.S.-
Dhaka, District- East Champaran.
14. Mithu Pal, Son of Sanwari Pal Resident of at village- Bikrampur, P.S.-
Dhaka, District- East Champaran.
15. Raghunath Pal, Son of Nathuni Pal Resident of at village- Bikrampur, P.S.-
Dhaka, District- East Champaran.
16. Maijelal Pal, Son of Bhikhan Raut Resident of at village- Bikrampur, P.S.-
Dhaka, District- East Champaran.
17. Ramswaroop Raut, Son of Bhikhan Raut Resident of at village- Bikrampur,
P.S.- Dhaka, District- East Champaran.
18. Upendra Pal, Son of Amar Raut Resident of at village- Bikrampur, P.S.-
Dhaka, District- East Champaran.
19. Lal Bihari Pal, Son of Amar Raut, Resident of at village- Bikrampur, P.S.-
Dhaka, District- East Champaran.



20. Tulsi Pal, Son of Khirodhi Raut, Resident of at village- Bikrampur, P.S.- Dhaka, District- East Champaran.
21. Bishwanath Pal, Son of Fakira Raut Resident of at village- Bikrampur, P.S.- Dhaka, District- East Champaran.
22. Bhagya Narayan Pal, Son of Sukdeo Pal, Resident of at village- Bikrampur, P.S.- Dhaka, District- East Champaran.
23. Hari Narayan Pal, Son of Sukdeo Pal, Resident of at village- Bikrampur, P.S.- Dhaka, District- East Champaran.
24. Moti Pal, Son of Gita Pal, Resident of at village- Bikrampur, P.S.- Dhaka, District- East Champaran.
25. Sitaram Pal, Son of Gita Pal, Resident of at village- Bikrampur, P.S.- Dhaka, District- East Champaran.
26. Upendra Pal, Son of Amar Raut Resident of at village- Bikrampur, P.S.- Dhaka, District- East Champaran.
27. Lal Bihari Pal, Son of Amar Raut, Resident of at village- Bikrampur, P.S.- Dhaka, District- East Champaran.
28. Raja Ram Pal, Son of Tulsi Pal, Resident of at village- Bikrampur, P.S.- Dhaka, District- East Champaran.
29. Maijelal Pal, Son of Bhikhan Raut Resident of at village- Bikrampur, P.S.- Dhaka, District- East Champaran.
30. Jitendra Singh, Son of Nagendra Singh, Resident of at village- Bikrampur, P.S.- Dhaka, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Respondent/s : Government Pleader (14)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-12-2024 The learned counsel for the petitioner submits that though the respondent no.5, i.e. the Circle Officer, Dhaka, District-East Champaran at Motihari has passed the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No.2 of 2022-23, however, the encroachment in question is not being removed, hence the respondent no.5 be directed to execute his order dated



18.06.2022 forthwith.

2. *Per contra*, the learned counsel for the respondent-State submits that in case there is no other legal impediment, the respondent no.5 shall definitely enforce the aforesaid order dated 18.06.2022 and ensure that the encroachment in question is removed forthwith.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the respondent no.5 to execute his order dated 18.06.2022, passed in Encroachment Case No.2 of 2022-23 and remove the encroachment in question forthwith, by taking recourse to the due process of law, in case there is no other legal impediment and if the aforesaid order dated 18.06.2022 has not been annulled by any higher forum/court of law.

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

(Mohit Kumar Shah, J)

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