

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17316 of 2023

Subhash Prasad Singh Son of Late Dev Narayan Singh, Resident of Village - Jaysinghpur Belghati, P.S. - Turkuliya, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Dept., Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The Sub Divisional Magistrate, Raxaul, East Champaran, Motihari.
5. The Circle Officer, Turkuliya, District - East Champaran, Motihari.
6. Sukhen Sah @ Bhua Sah, Son of Brahmdev Sah, Resident of Village - Belwa Rai Bairagi, P.S. - Turkaulia, District - East Champaran, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Respondent/s : Mr.Binod Kr. Yadav (Sc18)

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 (i) For issuance of writ in the nature of mandamus for direction to respondents for removing encroachment from the land bearing Thana No.72, Mouza-Belwa Rai Bairagi, Khata No.292, Khesra No. 455, Area-3.70 decimal has been illegally encroached Rasta for which petitioner filed application before the Respondents on 02.04.2022.

(ii) For further issue direction to respondents for disposal of the Encroachment Case No.



03/2022-23, which is pending.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Circle Officer, Turkuliya, District-East Champaran, Motihari to conclude the proceedings of the pending Encroachment Case No.03 of 2022-2023.

3. *Per contra*, the learned counsel for the respondent-State submits that in case the aforesaid encroachment proceeding has not yet been concluded, the same shall definitely be concluded, within a stipulated time frame, as is directed by this Court.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Turkuliya, District-East Champaran, Motihari to conclude the proceeding of the aforesaid Encroachment Case No.03 of 2022-2023, in case the same has not yet been concluded, by passing the final order, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, after hearing the affected parties and in accordance with law, 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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