

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2540 of 2024

Shankar Goshwami Late Shivan Goshwami R/o-Vilalge-Bhadva, P.O.-
Patsouri Khaira, Khiri, P.S.-Rajoun, District-Bank. Pin-813107.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land reforms,
Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land reforms, Government of Bihar,
Patna.
3. The District Collector, Banka.
4. The District Land Acquisition Officer, Banka.
5. The Sub Divisional Officer, Banka.
6. The Circle Officer, Rajaun, District-Banka.
7. The Superintendent of Police, Banka.
8. Bibhishan Paswan S/o-Late Changuri Paswan R/o-Village-Bhadva, P.O.-Md.
Siddique, S/o-Late Shekh Sabdul, Patsouri Khaira, Khiri, P.S.-Rajoun,
District-Banka. Pin-813107.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Alok Ranjan, Advocate
For the Respondent/s	:	Mr. Mujtabaul Haque, GP-12 Mr. Deo Narayan, Prasad, AC to GP-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-05-2024 The present writ petition has been filed
seeking the following reliefs:-

*"1. (I). For removal of encroachment
made by respondent nos. 8 on the
village road/ land of Indian
Government, appertaining to and
situated at Mauja- Bhadva, Thana
no. 565, Khata no. 121, Khesra no.-
11, which is common approach road/
village road in the name of Indian*



Government, has been encroached forcefully making illegal encroachment and construction over the said piece of land and because of the same entire villagers including petitioner are facing very hardships.

(II) For directing and commanding the respondent Circle Officer, Rajaun to dispose of the Encroachment Case No. 09/2023-24, which is pending consideration before him since long, in accordance with law as early as possible and to remove the encroachment forcefully made by respondent no. 8 on the village road.

III). For directing and commanding the respondent authorities for taking appropriate legal action against the persons who are responsible for encroachment on village road forcefully and removing the same."

2. At the outset, the learned counsel for the petitioner seeks a direction upon the respondent no. 6 i.e. the Circle Officer, Rajaun, District-Banka, to conclude the proceedings of the pending Encroachment Case No. 9 of 2023-24.

3. *Per contra*, the learned counsel for the respondent-State submits that in case the aforesaid Encroachment Case is still pending, the



same would definitely be disposed off within a stipulated time frame, as is fixed 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, Rajaun, District-Banka to conclude the proceedings of the aforesaid Encroachment Case No. 9 of 2023-24, in case the same is still pending, by passing the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, 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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