

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15964 of 2016

Haroon Rasheed son of Late Abdula Hakim resident of Village- Sonpura, P.S.-
Simari Bakhtiatpur, District- Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Collector of District- Saharsa.
3. The Sub Divisional Officer, Saharsa.
4. The Block Development Officer, Simari Bakhtiyarpur, Saharsa. null null
5. The Circle Officer, Simari Bakhtiyarpur, Saharsa.
6. The Block Education Officer, Simari Bakhtiyarpur, Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Mishra, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam-AAG-12

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 11-12-2025 Heard the parties.

2. The present petition has been preferred for the following relief(s):

“issuance of writ in the nature of mandamus commanding the respondents to remove the encroachment by unsocial elements made over Public Road, situated at Khojuchak Chowk, Simari Bakhtiyarpur Block in the District of Saharsa by the western side of Plot No. 609 of Khata No. 73 which is Kabristan and nearby which Khojuchak Primary Makhtab is also situated.”

3. As would reflect from the prayer, the petitioner wanted removal of the encroachment under Mauja – Khojuchak in the Simri Bakhtiyarpur Block, Saharsa.

4. A counter-affidavit has come on behalf of the respondent nos. 2 to 4 duly signed by the Circle Officer, Simri



Bakhtiyarpur, Saharsa and the learned State counsel has taken this Court to paragraph nos. 8 and 9 to show that so far as the encroachment part is concerned, the same stands removed. So far as plot no. 609 and other plots are concerned, there is a '*Kabristan*' protected by a boundary wall.

5. A rejoinder has come on behalf of the petitioner in the year 2025 after a cost of Rs. 2,000/- was imposed upon him by the Coordinate Bench on his failure to file the said rejoinder. As per it, the Anchal Amin has inspected the area and talks about encroachment. The said letter is addressed to the Circle Officer, Simari Bakhtiyarpur, Saharsa.

6. Learned State counsel submits that the said report of the year 2021 is addressed to the Circle Officer, Simari Bakhtiyarpur, Saharsa who shall be taking note of it.

7. Needless to add, if the said report is there, the Circle Officer, Simari Bakhtiyarpur, Saharsa has to look into the matter and act in accordance with law.

8. With the aforesaid observation, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

U			
---	--	--	--

