

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14394 of 2015

Parwati Devi Wife of Shir Kishor Kumar Jha, Resident of Village -Muradpur,
P.S. and Circle - Nauhatta, District - Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Saharsa.
3. The Sub Divisional Officer, Saharsa Sadar, District - Saharsa.
4. The Superintendent of Police, Saharsa.
5. The Deputy Collector, Land Reforms, Saharsa, District - Saharsa.
6. The Circle Officer, Nauhatta, District - Saharsa.
7. Suresh Choudhary, Son of Rajo Choudhary,
8. Tunalal Choudhary, Son of Jugal Choudhary,
9. Pannalal Choudhary, Son of Jugal Choudhary,
10. Jangali Choudhary, Son of Ramji Choudhary,
11. Dinesh Choudhary, Son of Kusho Choudhary, No. 7 to 11, Residents of Village -Muradpur,P.S. and Circle - Nauhatta, District - Saharsa.
12. The Officer- in - charge,Nauhatta Police Station - District - Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Jha, Advocate
For the Respondent/s	:	Mrs. Archana Meenakshee, G.P.-6, Adv.
		Mr. Prabhat Ranjan, Adv. (AC to G.P.6)
		Mr. Rohit Singh, Adv. (AC to G.P.6)
		Mr. Harish Singh, Adv. (AC to G.P.6)
		Mr. Ranveer Prawar, Adv. (AC to G.P.6)

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

13 16-01-2025 Heard the parties.

2. Learned counsel for the petitioner submits that vide order dated 01-03-2013 passed in Land Dispute Redressal Case No. 123 of 2012, the DCLR, Saharsa, found the encroachment on the purchased land of the petitioner, as described in the



impugned order and he found the possession of the petitioner over the land in dispute. The respondents No. 7 to 11 were injuncted/prohibited vide order dated 01-03-2013 from interfering with the possession of the petitioner. Learned counsel for the petitioner further submits that despite the specific direction of the competent authority, that order has not been complied with and unauthorized occupation has not been removed from the land till date. Having found no option, the petitioner had to file Execution Case No. 16 of 2013. By order dated 25-11-2013, the Execution Case was disposed of with direction that the administration shall remove the encroachment with assistance of the police and the petitioner was directed to deposit the expenses incurred on the deployment of police force. Even after depositing the required expenses, the encroachment has not been removed till date.

3. On the otherhand, the learned counsel for the State submits that it is not true that the State is not taking steps for removal of unauthorized occupation/encroachment but as a matter of fact, some law and order problems arose and it was the reason, the encroachment/unauthorized occupation could not be removed.

4. Considering the above mentioned facts and



circumstances, the respondents No. 2 & 4 are directed to comply the order dated 25-11-2013 passed in Execution Case No. 16 of 2013 within a period of eight weeks.

5. With the aforesaid observation(s), this writ petition is disposed of.

(Nawneet Kumar Pandey, J)

A.K.V.//-

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