

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5536 of 2016

Md. Anwarul Haque Son of late Alijan Ansari Resident of Village PO- Amari,
PS Chhaurahi, District Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Begusarai.
3. The Sub-Divisional Officer, Majhaul, District Begusarai.
4. The Deputy Collector Land Reforms , Manjhaul , District Begusarai.
5. The Circle Officer, Chhaurahi, District Begusarai.
6. Raish, Son of Tawaraque Resident of Village Amari, PS chhaurahi, District Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mrigendra Kumar, Adv. Mr. Mayank Bilochan, Adv.
For the Respondent/s	:	Mr. Ramadhar Singh, GP-25

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 19-06-2025 Heard Mr. Mrigendra Kumar, learned counsel for the
petitioner and Mr. Ramadhar Singh, learned GP-25 for the
Respondent-State.

2. The grievance of the petitioner is that the order dated 16.11.1996 passed by the Land Reforms, Deputy Collector, Manjhaul (Begusarai) in Encroachment Case No. 01 of 1996-97 has not been implemented, whereby encroachment from Plot No. 1215, Khata No. 376 situated in Village-Amari in the District of Begusarai has been directed to be removed.

3. The notice dated 10.06.2014 issued by the Circle



Officer, Chhaurahi and letter dated 06.05.2015 issued under the signature of DCLR, Manjhaul, as contained in Annexure -2 and 3 respectively reflect that the order has not been implemented till date.

4. In this regard, this Court *vide* order dated 25.07.2017 had granted four weeks time to file separate counter affidavit on behalf of Respondents No. 2, 3, 4 and 5 explaining under what circumstances, the order dated 16.11.1996, passed by the Land Reforms, Deputy Collector, Manjhaul (Begusarai) in Encroachment Case No. 01 of 1996-97 has not been implemented.

5. Even after lapse of more than eight years, no separate counter affidavit has been filed on behalf of Respondents No. 2, 3, 4 and 5.

6. This Court proposes to dispose of the present writ application by directing the District Magistrate, Begusarai to inquire into the matter and ascertain as to whether the encroachment from Plot No. 1215, Khata No. 376 situated in Village-Amari in the District of Begusarai has been removed in compliance of order dated 16.11.1996 passed by the Land Reforms, Deputy Collector, Manjhaul (Begusarai) in Encroachment Case No. 01 of 1996-97 or not. If the



encroachment has not been removed, the District Magistrate, Begusarai will ensure that the encroachment is removed within a fixed time frame and if the encroachment has already been removed, then the matter will attain closure.

7. It is made clear that the District Magistrate, Begusarai must comply with this order as soon as possible.

8. This writ application is disposed of in terms of the aforesaid direction/observation.

(Alok Kumar Sinha, J)

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