

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1139 of 2023

In
Civil Writ Jurisdiction Case No.17358 of 2022

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Ram Dev Darve S/o Lt. Bhangi Darve Resident of Village- Bihariganj, Ward
No. 04, P.S. and Anchal- Bihariganj, District- Madhepura.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms
Department, Govt. of Bihar, Patna.
2. The Commissioner-cum- Secretary, Department of Revenue, Govt. of Bihar,
Patna.
3. The Collector-cum- District Magistrate, Madhepura.
4. The Additional Collector cum Additional District Magistrate, Madhepura.
5. The Circle Officer, Bihariganj.
6. Maheshwari Darve S/o Late Anup Lal Darve Resident of Bihariganj, Ward
No.04, P.S. and Anchal-Bihariganj, District- Madhepura.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Santosh Kumar Singh, Advocate
For the State	:	Mr. Md. Khurshid Alam, AAG-12
For Respondent No. 6	:	Mr. Jitendra Kumar, Advocate
		Mr. Ranjan Kumar, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 27-06-2025

Re. I.A. No. 01 of 2024 :

The learned Advocate for the appellant presses

the aforesaid interlocutory application for condoning the

delay of 58 days in preferring this appeal.



2. For the reasons stated in the application, the delay of 58 days in preferring this appeal is, hereby, condoned.

3. I.A. No. 01 of 2024 stands allowed.

Re. L.P.A. No. 1139 of 2023 :

4. The writ petitioner had approached this Court for a direction to the respondents to remove encroachment from public land, the details of which was provided in the writ petition.

5. On the asking of the writ petitioner, he was permitted by the impugned judgment dated 26.06.2023 to appear before the Circle Officer and file appropriate petition under the Bihar Public Land Encroachment Act, 1956 and the concerned Officer was also directed to consider the same and pass a reasoned order within a stipulated period of time.

6. This judgment does not prejudice the appellant in any manner whatsoever.

7. All that we can add to the judgment impugned



is that the Circle Officer, before passing any order, shall hear out the appellant as well and any order passed in the petition shall be communicated to him forthwith.

- 8. The order stands modified accordingly.
- 9. The appeal stands disposed off.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Sauravkrsinha/
Krishna-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.06.2025
Transmission Date	NA

