

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7672 of 2012

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Ram Pravesh Singh S/O Late Sri Chandra Singh Resident Of Village -
Malipur Pakri, Basic School Tola, P.S. - Sitamarhi, District - Sitamarhi

.... Petitioner

Versus

1. The State Of Bihar Through Principle Secretary, Dept. Of Revenue And
Land Reforms Bihar Patna

2. The Collector Cum District Magistrate, Sitamarhi

3. The Additional Collector, Sitamarhi

4. Deputy Collector Land Reform, Sitamarhi

5. Circle Officer, Dumra, Sitamarhi

.... Respondents

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Appearance :

For the Petitioner : Mr. Pushpendra Kumar Singh, Advocate

For the State : Mr. Prasoon Sinha, G.A. II

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

4 31-01-2014 Heard learned counsel for the petitioner and the

State.

In view of the limited prayer made at the time of
hearing of this writ application, the same is being disposed of
with a direction to the Circle Officer, Dumra, Sitamarhi to
conclude the Encroachment Case No. 3/2007-08 in which a
notice appears to have been issued under sub section 7(2) of the
Bihar Land Encroachment Act, 1956 (hereinafter referred to as



‘the Act’) after recording final order under Section 6 of the Act for removal of encroachment. It appears from the records of the case that the petitioner was also found encroachers and notice was also issued to him. Learned counsel for the petitioner submits that the petitioner has already removed the encroachment but the others have not done and the authorities are ignoring such persons even after final order having been passed.

This is made clear that if the petitioner is also still found having encroached any part of the concerned land then his encroachment should also be removed within a period of four weeks from the date of receipt / production of a copy of this order.

In case appeal have been filed by some one against the final order then the proceeding would abide by final result of the appeal. In that case the competent authority would be required to dispose of the appeal within a reasonable period but not later than one month from the date of production/receipt of a copy of this order. It is further made clear that this Court has not expressed any opinion with regard to the merit of the cases of the respective parties.

Spd/-

(Dr. Ravi Ranjan, J)