

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5918 of 2017

=====

1. Raj Kumari Devi, W/o Sri Ganesh Kumar, resident of Mohalla - Saristabad, Purvi Tola, Mani Road, By Pass, P.O. Anisabad, P.S. Gardanibag, Distt. - Patna

.... Petitioner/s

Versus

1. The State of Bihar, through the Collector Cum District Magistrate, Patna, District - Patna
2. The Circle Officer, Phulwari Circle, District Patna
3. The Circle Officer, Sadar Patna
4. The Municipal Commissioner, Patna Municipal Corporation, Patna
5. The Senior Superintendent of Police, Patna, District - Patna
6. The Officer - in - Charge, Beur Police Station, District Patna
7. Sanjay Rai,
8. Mukesh Rai @ Chhotu, Both Sons of Late Ram Dayal Rai, at Present residing at 70 feet Road, Dasratha, P.S. Beur, P.O. Anisabad, District - Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kr. Pandey,
Mr. Uday Pratap Singh, Advocates
For the Respondent/s : Mr. AC to GP 15
Mr. Rajesh Kr. Shrivastava, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 31-08-2017 Heard learned counsels for the parties.

Though the present writ application has been filed for a direction to the respondent authorities to get the encroachment removed, which is made by respondent nos. 7 and 8 over a public road situated in front of self acquired land of the petitioner which connects main by-pass road to BPCL oil outlet, appertaining to Thana No. 30, Plot No. 202, situated in village Dashratha under Phulwarisharif block in the district of Patna, but



learned counsel for the petitioner confines his prayer for direction to respondent no. 2, Circle Officer, Phulwarisharif, Patna to dispose of the proceeding of Encroachment Case No. 06/07 of 2016-17.

A counter affidavit has been filed on behalf of respondent nos. 1 and 2, making statement in paragraph 6 thereof that Encroachment Case No. 06/07 of 2016-17 has already been initiated and notices have been issued, whereas in the counter affidavit filed on behalf of respondent no. 6, S.H.O., Beur Police Station, Patna, statement has been made in paragraph 11 thereof that construction work over the land in question by the private respondent has been stopped.

In the circumstances, learned counsel for the petitioner prays for disposal of the writ application with a direction to the respondent no.2, Circle Officer, Phulwarisharif, Patna for concluding the proceeding of Encroachment Case No. 06/07 of 2016-17 within a time frame.

In the facts and circumstances discussed above, it is expected from respondent no.2, Circle Officer, Phulwarisharif, Patna to conclude the proceeding of Encroachment Case No. 06/07 of 2016-17 within a period of three months from the date of receipt of a copy of this order after giving due opportunity of



hearing to all affected persons in accordance with the provisions of Bihar Public Land Encroachment Act, if the land in question is a public land.

Accordingly, this writ application is disposed of.

(Dinesh Kumar Singh, J)

Anil/-

U			
---	--	--	--

