

In the court of circle officer Garhwa

L.E .Case no. -02 / 20-21

State through Revenue Karamchari and CI, Garhwa –

Vs-

Dashrath Ram vill- Jhura, PS- Garhwa

ORDER

01.07.2020

It is reported by the Amin, Revenue karmachari and Circle Inspector Garhwa that part area of a piece of Land bearing plot no 308 of khata no.100 of village- Jhura, PS -Garhwa P.S. No.-329- Area-0-acre 02-decimeel is being/ has been encroached by Dashrath Ram of vill- Jhura, PS- Garhwa by making Pucca house on that Land. That land is a Government land pertaining to Gairmazarua Malik Khata in cadestral Survey.

The person responsible for the continuance of that encroachment upon that land has been noticed to file show cause why such encroachment shall not be removed? In response to that notice that person appeared in this court and accepted that they have constructed partially pucca room on that public Land. He has accepted that that land is not settled in his favour. He has also stated that his raiyati land of plot no. 307 situated beside that public land. This public land is reserved for construction of Anganvari Centre for community development. So that the same can't be settled in favour of an individual. As such it is found that he has illegally occupied the vacate government land.

In pursuance of arrival submission made by the said encroacher, Inquiry report submitted by Halka karamchari, Circle Inspector & Anchal Amin, Legal provision in this regard and documents present on the record, I find that

- (1) The said Land is Government land which is recorded as Gairmazarua Malik in Cadestral Survey of that village. That land was never alienated from government ownership. Therefore, this is a Public Land under the provision of Bihar/Jharkhand Public Land Encroachment Act 1956 and that Land has been occupied by the encroacher in unauthorised way.
- (2) That land is neither continuous to the agriculture holding of encroachers nor in use for agriculture purpose. Therefore, it can't be settled with

encroacher under the provision of Section 6 (1) © of Bihar/Jharkhand Public Land Encroachment Act 1956.

- (3) Therefore, I hold this order under **Sec-6(i)(e)** of Bihar/Jharkhand Public Land Encroachment Act 1956.
- (4) I am directed herewith the person making encroachment of that public Land to remove the encroachment within 10 days of issue of this order.
- (5) In case the encroachment is not removed within that specified time, all types of structures existing on the encroached Land shall be forfeited and shall be removed by using such force for the purpose as is necessary.
- (6) Halka karamchari, Anchal Amin and Circle Inspector have also been directed to remove that encroachment, if that encroachment shall not be removed by that encroacher within that specified period.
- (7) Halka Karamchari has also been directed to file an FIR against such person under the provision of Bihar/Jharkhand Public Land Encroachment Act 1956 and Code of Criminal Procedure, 1973.

Dealing assistant is directed to issue notice to encroacher on Form-II for compliance.

Dictated & Corrected

  
1.7.2020  
Circle Officer

Garhwa

  
1.7.2020  
Circle Officer

Garhwa