

In the court of circle officer Garhwa

L.E. Case no. 04 /19-20

State through Revenue Karamchari and CI, Garhwa -

Vs-

Pravin Kumar vill- Vishunpur, Garhwa

20.08.2019

ORDER

It is reported by the Amin, Revenue karmachari and Circle Inspector Garhwa that a piece of Land bearing plot no 118 of khata no.349 of village- Pipra Kala P.S. No.-342- Area-01 $\frac{1}{2}$  decimel is being/ has been encroached by Sri Pravin Kumar of village- Vishunpur, Garhwa by making Pucca Shop on that Land. That land is a part of acquired land of Sub- Division Garhwa. and recorded as Gais Mazara in Cadesbral 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 pucca shop on that public Land. He has contested his position on that land saying that he has been allotted a shop in D-type residential quarter of Kanhar Awasiy Shivr by Executive Engineer, Anushandhan Pramandal, Garhwa vide office order no. 106 dated 3-5-2014. On his submission matter has been inquired and found that such allotment has been cancelled by Executive Engineer, Anushandhan Pramandal, Garhwa vide office order memo no. 174 dated 01-7-2014. Further it is found that sri Pravin Kumar has illegally occupied the vacate land before the D-type government quarter and he is constructing pucca shop on that land. Further it is found that 36.36 acres of land has been acquired vide Land Acquisition Case No. 42 of 1954-55 for the construction of Sub-Divisional Head Quarter in the Village of Pipra Kala, Thana Garhwa, through Declaration no. B/L-VII-991/53-7124-R/ 2873 dated 19<sup>th</sup> October 1954 and that land is a part of this acquired land. Sri Pravin Kumar has made new construction on the said acquired land without any authority/Noe.

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 which was acquired vide Land Acquisition Case No. 42 of 1954-55 for the construction of Sub-Divisional Head Quarter in the Village of Pipra Kala, Thana Garhwa under ownership of Govt of Bihar/Jharkhand government, 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. This land is also recorded as Gais Mazara in Cadesbral Survey.

20/8/19

- (2) Therefore, I hold this order under Sec-6(i)(e) of Bihar/Jharkhand Public Land Encroachment Act 1956.
- (3) I am directed herewith the person making encroachment of that public Land to remove the encroachment within 10 days of issue of this order.
- (4) 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.
- (5) 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.
- (6) 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, and serve a copy of this order to Karamchari, Amis, & CI.

Dictated & Corrected  
 Circle Officer  
 Garhwa

Circle Officer  
 Garhwa

18/8/20 Shri Raghuraj Kaushik, D.A. is directed to put compliance of the above order. Whether encroachment has been removed and FIR lodged as directed in that order. If not then why show cause has not been issued -  
 Put up with compliance on 28/8/20

Re  
18/8/20  
 [Signatures]

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