

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10599 of 2019

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Surendra Kumar, Lal S/o Budheshwar Prasad, Resident of Village- Rampur,
P.S.- Jamore, Dist.-Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Lands Revenue Department, Govt. of Bihar, Patna
2. The Collector, Aurangabad
3. The Sub Division Officer, Aurangabad
4. The Circle Officer, Aurangabad, Dist.-Aurangabad

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh, Advocate
For the Respondent/s : Mr.Subash Chandra Yadav, GP-15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-05-2019 Heard learned counsel for the petitioner and the State.

2. The petitioner has approached this Court aggrieved by the notice issued by the Circle Officer, Aurangabad for removal of encroachment.

3. Learned counsel admits that after receiving the notice the petitioner has already submitted his reply and thereafter decision has not been taken one way or the other.

4. Considering the fact that the petitioner has approached this Court at the stage of notice and after filing reply to the notice, the Court is of the view that the present writ application is premature, as no adverse order has been passed after submission of reply to the notice (Annexure-1).



5. In the event, any order adverse to the petitioner is passed by the Circle Officer, Aurangabad in Land Encroachment Proceeding, liberty shall be available to the petitioner to approach the statutory Appellate Authority i.e. the Collector of the District or may approach the other appropriate forum for redressal of his grievance.

6. With the aforesaid liberty, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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