

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13225 of 2019

Dr. Badri Narayan Sah S/o Late Hari Prasad Sah Resident of At and P.O.-
Manihari Railway Gate, Ward No. 10, P.s.- Manihari, Distt.- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate Katihar, Distt.- Katihar
3. The Deputy Collector Land Reforms, Manihari, Distt.- Katihar
4. The Circle Officer Manihari at Manihari, Distt.- Katihar
5. The Anchal Amin Manihari at Manihari, distt.- Katihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha
For the Respondent/s : Mr.Raj Kishore Roy (GP-18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-07-2019 The present writ petition has been filed for quashing the notice dated 01.06.2019 passed in Encroachment Case No. 3 of 2019-20 by the Circle Officer, Manihari, District-Katihar, whereby and whereunder the petitioner has been directed to remove the encroachment on the land in question.

The learned counsel for the petitioner submits that the petitioner would be approaching the Circle Officer, Manihari, District-Katihar by filing a written defence which should be considered by the Circle Officer, Manihari, in accordance with law and final order should be passed under Section 6 of the Bihar Public Land Encroachment Act, 1956 after giving an opportunity of hearing to the petitioner.



Having regard to the facts and circumstances of the case, the writ petition stands disposed off as withdrawn with liberty to the petitioner to file written defence in the on going encroachment case within a period of four weeks from today, whereafter the Circle Officer, Manihari, District-Katihar shall consider the same and after granting an opportunity of hearing to the petitioner, would take a decision under Section 6 of the Bihar Public Land Encroachment Act, 1956.

It is made clear that till the final order is passed by the Circle Officer, Manihari, District-Katihar under Section 6 of the Bihar Public Land Encroachment Act, 1956, no coercive action shall be taken against the petitioner herein.

(Mohit Kumar Shah, J)

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