

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13728 of 2019

Shankar Prasad Chaudhary S/o Late Bhola Chaudhary resident of Sonbarsha Raj, Main Market, Ward No. 04, Sonbarsha, Police Station Sonbarsha, District- Saharsa, Bihar- 852129.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Saharsa.
2. The Circle Officer, Sonbarsha, Saharsa.
3. The District Land Acquisition Officer, Saharsa.
4. The National Highway Authority of India through Chief Engineer, NH- 107, Patna.
5. The National Highway Authority of India, NH- 107, Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anjum Perveen
For the Respondent/s	:	Mr. Rishi Raj Sinha (SC-19)
For the N.H.A.I.	:	Mr. S.N. Pathak

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-07-2019 The short prayer of the petitioner in the present case is that without passing the final order under Section 6 of the Bihar Public Land Encroachment Act, 1956, a notice dated 27.06.2019 has been issued by the Circle Officer, Sonbarsha, Saharsa to the petitioner herein to remove the encroachment and the same is in the nature of final order, however, no opportunity has been granted to the petitioner to place his defence.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed off with liberty to the petitioner to file his defence before the Circle Officer, Sonbarsha, Saharsa on or before 30th July, 2019, whereupon the



Circle Officer, Sonbarsha, Saharsa shall consider the same and pass the final order under Section 6 of the Bihar Public Land Encroachment Act, 1956.

Till the final order is passed by the Circle Officer, Sonbarsha, Saharsa under Section 6 of the Bihar Public Land Encroachment Act, 1956, status quo existing as on today, shall be maintained.

(Mohit Kumar Shah, J)

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