

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.861 of 2017

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Lal Chunni Kunwar Wife of Late Vyas Upadhyay, Resident of Village
Bajarmara, P.S. Jamo Bazar, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector- Cum-District Magistrate, Siwan.
3. The Additional Collector, Siwan.
4. The D.C.L.R. Maharajganj, District- Siwan.
5. The Circle Officer, Lakari Nabiganj, District Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad
For the Respondent/s : Mr.Md. Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 01-08-2019 The present writ petition has been filed for quashing

the notice dated 17.12.2016 passed by the Circle Officer, Lakari

Nabiganj, District-Siwan.

The learned counsel for the petitioner submits that
the Circle Officer, Lakari Nabiganj, District-Siwan without
initiating any encroachment proceedings under the provisions of
the Bihar Public Land Encroachment Act, 1956, has issued the
impugned notice dated 17.12.2016.

This position, as existing on fact, is not denied by the
learned counsel appearing for the respondents.

Having regard to the facts and circumstances of the
case, the notice dated 17.12.2016 issued by the Circle Officer,



Lakari Nabiganj, District-Siwan is quashed, however, with liberty to the Circle Officer, Lakari Nabiganj, District-Siwan to initiate encroachment proceeding according to the provisions of the Bihar Public Land Encroachment Act, 1956, if so required.

The writ petition stands allowed.

(Mohit Kumar Shah, J)

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