

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15527 of 2019

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Sita Ram Yadav S/o Late Prayag Narayan @ Late Prayag Yadav Resident of
Mohalla- Mirzapur, South of Kanhai Inter School, P.s.- Nawada, District-
Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Divisional Commissioner Magadh Division, Gaya
3. The Collector cum District Magistrate Nawada
4. The Sub Divisional Officer Nawada
5. The Circle Officer Nawada Sadar, District- Nawada

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gopal Bohra

For the Respondent/s : Mr.Subash Chandra Yadav (Gp15)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-08-2019 The present writ petition has been filed for quashing

the proceedings of Encroachment Case No. 4 of 2017-18,

pending before the Circle Officer, Nawada Sadar.

The learned counsel for the petitioner submits that a
notice dated 19.7.2019 has been issued by the Circle Officer,
Nawada Sadar for clearing the encroached land of the
Government, however, no order has been passed under Section
6 of the Bihar Public Land Encroachment Act, 1956 as well as
no opportunity has been given to the petitioner to present his
case.

Having regard to the facts and circumstances of the



case, the present writ petition stands disposed of with liberty to the petitioner to file objection within a period of four weeks from today before the Circle Officer, Nawada Sadar in the ongoing encroachment proceeding, whereupon the Circle Officer, Nawada Sadar shall consider the objection of the petitioner and pass a final order under Section 6 of the Bihar Public Land Encroachment Act, 1956.

It is needless to state that if no objection is filed within a period of four weeks from today, the Circle Officer, Nawada Sadar shall pass ex parte order.

Till the passing of the final order 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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