

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15684 of 2019**

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Prem Shankar Roy Son of- Late Jaidev Roy, Resident of Village- Jamunia,  
P.S.- Parbatta, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Collector, Bhagalpur.
4. The Additional Collector, Bhagalpur.
5. The Circle Officer, Naugachhia, District- Bhagalpur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar  
For the Respondent/s : Mr.Md. Nadim Seraj (Gp5)

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      06-08-2019                      The present writ petition has been filed challenging the notice dated 21.06.2019 issued by the Circle Officer, Naugachhia, District Bhagalpur whereby and whereunder the petitioner has been directed to remove the encroachment in question.

The learned counsel for the petitioner has submitted that without initiating any appropriate encroachment proceeding or without giving any opportunity of hearing to the petitioner herein, much less asking him to file objection, notice dated 21.06.2019 has been issued by the Circle Officer, Naugachhia, District Bhagalpur, hence the same is illegal.



Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose of the present writ petition with liberty to the petitioner to file objection to the aforesaid notice dated 21.06.2019 before the Circle Officer, Naugachhia, District Bhagalpur within a period of six weeks from today, whereupon the Circle Officer, Naugachhia, District Bhagalpur shall pass final order under the provisions Section 6 of the Bihar Public Land Encroachment Act, 1956.

It is needless to state that till passing of the final order under Section 6 of the Bihar Public Land Encroachment Act, 1956, status quo existing as on today qua the plot in question shall be maintained.

**(Mohit Kumar Shah, J)**

Tiwary/-

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