

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16339 of 2019

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Mosmat Rekha Devi Wife of Late Sunil Singh, Resident of Village- Marpa
Mohan (Vishunpur Mohan), P.S. Phenhara, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Govt. of Bihar, Secretariat, Patna.
2. The Collector-Cum-District Magistrate, District- East Champaran at Motihari.
3. The Sub Divisional Magistrate, Pakaridayal District- East Champaran.
4. The Sub Divisional Public Grievances Officer, Pakridayal, East Champaran.
5. The Circle Officer, Phenhara Circle, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Respondent/s : Mr.Vinay Kirti Singh (GA-2)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-08-2019 At the outset, the learned counsel for the petitioner seeks to correct the address of the petitioner mentioned in the cause title.

Let the same be done during the course of the day.

The present writ petition has been filed challenging the notice dated 27.06.2019 issued by the C.O., Phenhara in connection with Encroachment Case No. 1 of 2019-20, whereby and whereunder the petitioner has been directed to submit her objections.

The leaned counsel for the petitioner submits that the petitioner has already filed her objection but still the Circle



Officer, Phenhara has issued another notice directing the petitioner to remove the encroachment. The learned counsel for the petitioner has filed a supplementary affidavit stating therein that no order under Section 6(1) of the Bihar Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956'), has been passed till date.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed off with a direction to the Circle Officer, Phenhara, District-East Champaran to pass the final orders under Section 6(1) of the Act, 1956 after considering the objection filed by the petitioner herein.

It is needless to state that till the passing of the final order under Section 6(1) of the Act, 1956 by the Circle Officer, Phenhara, status quo existing as on today, shall be maintained.

(Mohit Kumar Shah, J)

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