

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16509 of 2019

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Ramnandan Yadav S/o Gopi Yadav Village- Deora, Deura, Aurangabad, Parta
Bihar 824111.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reform Department, Patna.
2. The District Magistrate Aurangabad.
3. The Circle Officer Kutumba Block, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Singh
For the Respondent/s	:	Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-08-2019 The present writ petition has been filed for quashing the notice dated nil and the one dated 15.7.2019 whereby and whereunder the petitioner has been directed to remove the encroachment in question in connection with Encroachment Case No. 14 of 2018-19.

The learned counsel for the petitioner submits that no opportunity of filing any objection has been granted to the petitioner herein and in fact, no final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 has been passed, but nonetheless, the petitioner has been asked to remove the encroachment by the aforesaid notice dated 15.7.2019.

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 approach the Circle Officer, Kutumba Block, Aurangabad in connection with Encroachment Case No. 14 of 2018-19 by filing appropriate objections within a period of four weeks from today whereupon the Circle Officer, Kutumba Block, Aurangabad shall pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956.

It is needless to state that till passing of the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, no coercive steps shall be taken against the petitioner herein for removal of the encroachment in question, however, in case, no objection is filed within a period of four weeks from today, the Circle Officer, Kutumba Block, Aurangabad shall pass ex parte order.

(Mohit Kumar Shah, J)

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