

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17544 of 2019

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Sujash Tiwari S/o Late Nathe Tiwari R/o Village Gosaidaspur, P.S. Nathnagar,
District- Bhagalpur, currently R/o Bhagali Sah Lane, Nathnagar, M.N.
Chowk, P.S. Nathnagar, District Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Bhagalpur.
3. The Circle Officer, Nathnagar, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Patanjali Rishi
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-09-2019 The present writ petition has been filed for quashing

the notice dated 19.07.2019 issued by the Circle Officer,

Nathnagar, Bhagalpur, whereby and whereunder the petitioner

has been directed to remove the encroachment in question.

The learned counsel for the petitioner submits that the

petitioner would be filing an objection before the Circle Officer,

Nathnagar, Dist-Bhagalpur whereupon, the Circle Officer may

pass final orders under Section 6(1) of ***Bihar Public Land
Encroachment Act, 1956*** after getting the land in question,

measured.

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 an objection before



the Circle Officer, Nathnagar, Bhagalpur within a period of four weeks from today, whereupon the said Circle Officer shall consider the same, carry out measurement of the land in question, make demarcation and thereafter pass final order under Section 6(1) of ***Bihar Public Land Encroachment Act, 1956***. It is needless to state that in case, no objection is filed by the petitioner within four weeks from today, the Circle Officer, Nathnagar, Bhagalpur shall pass *ex-parte* orders. Till the passing of the final order under Section 6(1) of ***Bihar Public Land Encroachment Act, 1956***, *status quo*, existing as on today *qua* the property/ land in question, shall be maintained.

(Mohit Kumar Shah, J)

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