

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17493 of 2019

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Tilak Sah @ Lalan Prasad Gupta @ Lalan Teli Son of Parmeshwar Sah @ Parmeshwar Teli, Resident of Village-Sirisiya, P.O. Tinphediya, Police Station-Naurangia, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, West Champaran at Bettiah.
2. The Sub-Divisional Officer, Bagaha, West Champaran.
3. The Circle Officer, Bagaha-2, District-West Champaran.

... .. Respondent/s

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Appearance :

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

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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 issued under Section 3 of ***Bihar Public Land Encroachment Act, 1956*** by the Circle officer, Bagaha-2, West Champaran in connection with Encroachment case no. 03 of 2019-20.

The learned counsel for the petitioner submits that the petitioner be granted liberty to file objection which may be considered by the said Circle Officer and thereafter, final order be passed and till then, protection may be granted.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to dispose off the present writ petition with liberty to the petitioner to file an objection in connection with Encroachment case no. 03 of 2019-20 before



the Circle Officer, Bagaha-2, West Champaran within a period of four weeks from today, which shall be considered by the said Circle Officer and the final order shall be passed under Section 6(1) of ***Bihar Public Land Encroachment Act, 1956*** thereafter. It is needless to state that in case, no objection is filed by the petitioner herein within four weeks, the said Circle Officer shall pass *ex-parte* order. 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 land/property of the petitioner in question, shall be maintained.

(Mohit Kumar Shah, J)

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