

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17802 of 2019

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Naushad Ali @ Md. Naushad Son of Ehsanur Rahman Resident of Village-
Chhattargachh, P.S.-Pothia (Paharkatta), District-Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Kishanganj
2. The Circle Officer Pothia, Kishanganj
3. The Chairman Bihar State Sunni Waqf Board, Haj Bhawan, Patna
4. The Chief Executive Officer Bihar State Sunni Waqf Board, Haj Bhawan, Patna
5. The Administrator Estate No. 614 Chhattargachh-cum-District Minority Welfare Officer/Nodal Officer of Waqf, Kishanganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar
For the Respondent/s : Mr.Sita Ram Yadav (Gp16)

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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 29.7.2019, issued in connection with Encroachment Case No. 1 of 2019-20, by the Circle Officer, Pothia, Kishanganj, for vacating the land of Mosque of Waqf No. 614 appertaining to Khata No. 302, Khesra No. 710 area 0.26 decimal under Mauza-Chhattargachh, Thana No. 165.

The learned counsel for the petitioner submits that the petitioner be granted liberty to approach the aforesaid Circle Officer, Pothia, Kishanganj by filing objections and till then, protection be granted.

Having regard to the facts and circumstances of the



case, the present writ petition stands disposed of with liberty to the petitioner to file appropriate objection before the Circle Officer, Pothia, Kishanganj within a period of four weeks from today, whereupon the Circle Officer, Pothia, Kishanganj shall consider the same and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 in connection Encroachment Case No. 1 of 2019-20.

It is needless to state that in case, no objection is filed within four weeks from today, the Circle Officer, Pothia, Kishanganj shall pass ex parte order.

Till passing of the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, status quo existing as on today shall be maintained.

(Mohit Kumar Shah, J)

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