

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18645 of 2019

=====

Narendra Kumar Sharma S/o Late Kapildeo Kuar, R/o Ward No. 02, Tola Khora, Pokharia Ray, Chanpatia, P.s.- Chanpatia, Distt.- West Champaran, Bihar-845449 at present resident of Mauza- Bettiah Locality, Lal Bazar, Ward No. 1, P.s.- Bettiah, District- West Champaran, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Old Secretariat, Bailey Road, Patna
2. The Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Old Secretariat, Bailey Road, Patna
3. The Collector-cum-District Magistrate, Bettiah, West Champaran
4. The Circle Officer Bettiah, West Champaran
5. The Nagar Parishad, Bettiah through its Executive Officer, Nagar Parishad, Bettiah

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-09-2019 The present writ petition has been filed for quashing altogether three notices dated 27.07.2019 and 24.08.2019 issued by the Executive Officer, Nagar Parishad, Bettiah directing the petitioner to remove the encroachment in question within three days.

The learned counsel for the petitioner submits that the present notices have been issued by the Executive Officer, Nagar Parishad, Bettiah without granting any opportunity of hearing to the petitioner herein, hence, such an action at the behest of the Executive Officer, Nagar Parishad, Bettiah is illegal and de hors the provisions of law.



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 within a period of four weeks from today before the Executive Officer, Nagar Parishad, Bettiah in response to the aforesaid three notices, whereupon the Executive Officer, Nagar Parishad, Bettiah shall consider the same and pass final orders, after taking into account the objection filed by the petitioner.

It is needless to state that till final order is passed by the Executive Officer, Nagar Parishad, Bettiah, status quo existing as on today shall be maintained.

(Mohit Kumar Shah, J)

Tiwary/-

U			
---	--	--	--

