

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20990 of 2019

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Madheshwar Sharma, son of Late Ram Naresh Singh, resident of South of Nala, Mohanpur, Punaichak, P.O. and P.S. Shashtrinagar, Patna- 800023.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Old Secretariat Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Old Secretariat, Patna.
3. The Collector, Patna.
4. The Additional Collector, Patna.
5. The Deputy Collector, Land Reforms, Patna Sadar, Patna.
6. The Circle Officer, Patna Sadar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jai Vardhan Narayan
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 24-10-2019

1. The present writ petition has been filed for setting aside the notice issued to the petitioner under Section 6(2) of the Bihar Public Land Encroachment Act, 1956 in Encroachment case no. 41 of 2018-19 dated 01.07.2019.

2. The learned counsel for the petitioner submits that the notice under Section 6(2) of the Bihar Public Land Encroachment Act, 1956 has been issued to the petitioner by the Circle Officer, Patna Sadar, Patna without passing the final order in encroachment proceedings i.e. case no. 41 of 2018-19 under Section 6(1) of the Bihar Public Land Encroachment Act,



1956.

3. Having regard to the facts and circumstances of the case, the notice dated 01.07.2019 issued by the Circle Officer, Patna Sadar, Patna is held to be void and the said Circle Officer is directed to pass final orders under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 in the ongoing Encroachment case no. 41 of 2018-19 before taking any action under Section 6(2) of the Act, 1956.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.11.2019
Transmission Date	NA

