

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19604 of 2019

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Vijay Choudhari son of Vasant Choudhari resident of Village Dumari Chatti,
P.S. Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya.
4. The Collector, Gaya.
5. The Deputy Collector, Land Reforms, Gaya Sadar.
6. The Sub Divisional Magistrate, Gaya, Bihar.
7. The Circle Officer, Fatehpur, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-09-2019 The present writ petition has been filed for quashing the notice dated 20.12.2018 issued by the Circle officer, Fatehpur, District-Gaya in connection with Encroachment Case No. 11 of 2018-19 whereby and whereunder notice has been issued to the petitioner to remove the encroachment.

The learned counsel for the petitioner has submitted by referring to paragraph no. 24 of the writ petition that neither any notice has been served upon the petitioner in connection with Encroachment Case No. 11 of 2018-19, seeking his objection nor any final order under Section 6(1) of the Bihar Public Land



Encroachment Act, 1956 has been passed.

Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file appropriate objection within a period of four weeks from today before the Circle Officer, Fatehpur, District-Gaya in connection with Encroachment Case No. 11 of 2018-19 and in case, such an objection is filed, the same would be considered by the Circle Officer, Fatehpur, District-Gaya and final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 shall be passed, thereafter.

It is needless to state that in case, no objection is filed within a period of four weeks from today, the Circle Officer, Fatehpur, District-Gaya 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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