

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19820 of 2019

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1. Shyam Sundar Pandey Son of late Mahavir Pandey, Resident of Village- Dumari Chatti, P.S. Fatehpur, District- Gaya.
 2. Awadh Kishor Pandey, Son of late Mahavir Pandey, Resident of Village- Dumari Chatti, P.S. Fatehpur, District- Gaya.
 3. Amitesh Pandey, Son of late Mahavir Pandey, Resident of Village- Dumari Chatti, P.S. Fatehpur, District- Gaya.
 4. Anil Kumar Pandey@ Anil Pandey, Son of late Mahadir Pandey, Resident of Village- Dumari Chatti, P.S. Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Collector, Gaya.
4. The Additional Collector, Gaya.
5. The Deputy Collector Land Reforms, Sadar, Gaya.
6. The Anchal Adhikari, Fatehpur, District- Gaya.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-09-2019 The present writ petition has been filed by the petitioners seeking quashing of the notice dated 05.03.2019 issued by the Circle Officer, Fatehpur, District Gaya in connection with Encroachment Case No. 14 of 2018-19 whereby and whereunder the petitioners have been directed to remove the encroachment in question.

The learned counsel for the petitioners has submitted that the Circle Officer, Fatehpur, District Gaya, without passing



any final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, is proceeding to remove the encroachment in question illegally by issuing notice dated 05.03.2019. It is further submitted that the petitioners have already filed objections before the Circle Officer, Fatehpur, Gaya, which are annexed as Annexure-3 to the present writ petition.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose of the present writ petition with a direction to the Circle Officer, Fatehpur, Gaya to pass final orders under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, after considering the objection filed by the petitioners and till then, status quo existing as on today shall be maintained.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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