

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19816 of 2019

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1. Indradeo Yadav @ Indradeo Pd. Yadav S/o Late Doman Yadav, Resident of Village- Dumari, P.S. Fatehpur, District- Gaya.
 2. Chamari Yadav Son of Late Dosan Yadav, Resident of Village- Dumari, P.S. Fatehpur, District- Gaya.
 3. Modi Yadav Son of Chhathu Yadav, Resident of Village- Dumari, P.S. Fatehpur, District- Gaya.
 4. Mahabir Yadav S/o Late Bodhan Yadav, Resident of Village- Dumari, P.S. Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Commissioner, Gaya.
3. The District Magistrate-Cum- Collector, Gaya.
4. The Deputy Collector, Land Reforms, Gaya.
5. The Sub Divisional Officer-cum- Sub Divisional Magistrate, Gaya.
6. The Circle Officer, Fatehpur, Gaya.
7. The Officer-in- Charge, Fatehpur, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh
For the Respondent/s : Mr.Subash Chandra Yadav (Gp15)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-09-2019 The present writ petition has been filed seeking quashing of the notice dated 05.09.2019 issued by the Circle Officer, Fatehpur, Gaya in connection with Encroachment Case No. 12 of 2016-17 on the ground that without passing final orders under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, the Circle Officer, Fatehpur, Gaya has directed the petitioners to remove the encroachment in question.



This Court is of the view that the Circle Officer, Fatehpur, Gaya is required to pass final orders under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, inasmuch as it is the case of the petitioners that they have already filed objections/ representations before the Circle Officer, Fatehpur, Gaya, hence the Circle Officer, Fatehpur, Gaya is directed to pass the final orders under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 in connection with Encroachment Case No. 12 of 2016-17, after considering the objections/ representations filed by the petitioners, within a period of four weeks from today, till which time status quo existing as on today, shall be maintained.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

Tiwary/-

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