

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21525 of 2019

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Kamala Kant Chaubey @ Kamalakant Chaube S/o Late Yakbalkya Choubey @ Jagbali Chaube, Resident of Village- Badha Noan, P.S.- Noan, Distt.- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Collector Kaimur (Bhabhua)
3. The Deputy Collector Land Reforms, Mohania, Distt.- Kaimur (Bhabhua)
4. The Circle Officer Noan, Distt.- Kaimur (Bhabhua)
5. Rameshwar Ram S/o Phekan Ram Resident of Village- Noan, P.O. and P.s.- Noan, Distt.- Kaimur (Bhabhua)
6. Jitu Ram S/o Late Basjit Ram Resident of Village- Noan, P.O. and P.s.- Noan, Distt.- Kaimur (Bhabhua)
7. Rishikesh Chaturbedi S/o Late ramji Chaturbedi Resident of Village- Noan, P.O. and P.s.- Noan, Distt.- Kaimur (Bhabhua)

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Choubey
For the Respondent/s : Mr.Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-11-2019 The only prayer of the petitioner in the present case is to consider the objections filed by the petitioner in connection with Encroachment Case No. 5 of 2016-17, pending before the Circle Officer- Noan, District-Kaimur (Bhabhua) and then pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 and till then the respondents be directed not to take coercive action.

Having regard to the short prayer made by the



learned counsel for the petitioner, I deem it fit and proper to dispose off the present writ petition with liberty to the petitioner to file objections in connection with Encroachment Case No. 5 of 2016-17 within a period of four weeks from today whereafter the Circle Officer-Noan, District-Kaimur (Bhabhua) shall consider the same and pass final orders under Section 6(1) of the Act, 1956.

It is needless to state that in case no objection is filed within a period of four weeks from today, the Circle Officer-Noan, District-Kaimur (Bhabhua), shall be free to pass ex parte orders.

It is further directed that till the passing of the final order under Section 6(1) of the Act, 1956, no coercive step shall be taken against the petitioner herein.

(Mohit Kumar Shah, J)

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