

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20492 of 2019

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1. Ravindra Yadav Son of Kuladip Yadav, Resident of Village- Bigha,P.S. Kustha, District- Arwal.
 2. Surendra Prasad Yadav @ Sub Lal Yadav Son of Ramdahin Yadav, Resident of Village- Bigha,P.S. Kustha, District- Arwal.
 3. Shyam Nandan Yadav, Son of Nanku Yadav, Resident of Village- Bigha,P.S. Kustha, District- Arwal.
 4. Kapil Yadav, Son of Lakhan Yadav, Resident of Village- Mahadev Bigha, Kahtangi, P.S. Kustha, District- Arwal.
 5. Uday Yadav, Son of Lakhan Yadav, Resident of Village- Mahadev Bigha, Kahtangi, P.S. Kustha, District- Arwal.
 6. Bhagwat Yadav, Son of Jhapsi Yadav, Resident of Village- Khatangi Mahadeo Bigha, P.S. Kurtha, District- Arwal.
 7. Arjun Yadav, Son of Lakhan Yadav, Resident of Village- Khatangi, Mahadeo Bigha, P.S. Kurtha, District- Arwal.
 8. Suchita Devi, Wife of Premchann Yadav, Resident of Village- Khatangi, Mahadeo Bigha, P.S. Kurtha, District- Arwal.
 9. Sunita Devi, Wife of Harilal Yadav, Resident of Village- Khatangi, Mahadeo Bigha, P.S. Kurtha, District- Arwal.
 10. Jay Gopal Yadav, Son of Gopal Yadav Resident of Village- Khatangi, Mahadeo Bigha, P.S. Kurtha, District- Arwal.
 11. Nand Kiswar Yadav, Son of Gopal Yadav Resident of Village- Khatangi, Mahadeo Bigha, P.S. Kurtha, District- Arwal.
 12. Devnandan Yadav, Son of Mahadew Yadav, Resident of Village- Khatangi, Mahadeo Bigha, P.S. Kurtha, District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue Department, Govt. of Bihar, Patna.
2. The District Magistrate, Arwal.
3. The Circle Officer, Block- Sonvadar, Vansi Surajpur, Arwal.

... .. Respondent/s

Appearance :

For the Petitioner/s :	Mr.Purushotam Sharma
For the Respondent/s:	Mr.Rishi Raj Sinha (Sc19)
:	Mr. Saurabh Kumar



CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-10-2019 The learned counsel for the petitioners has challenged the notice dated 27.09.2019, whereby and whereunder the petitioners have been directed to remove the alleged encroachment in question, without any opportunity being given to them for filing objections as also without any order under **Section 6(1)** of the **Bihar Public Land Encroachment Act, 1956** having been passed by the Circle Officer.

Per contra, the learned counsel for the respondent- State submits that the Circle Officer, Sonvadhar, Vansi Surajpur, Arwal shall definitely pass the final orders under Section 6(1) of the **Bihar Public Land Encroachment Act, 1956** within a period of four weeks of filing of the objections by the petitioners, if any.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed off with liberty to the petitioners to file objections before the Circle Officer, Sonvadhar, Vansi Surajpur, Arwal in pursuance to the notice dated 27.09.2019, which shall be considered by the Circle officer, Sonvadhar, Vansi Surajpur, Arwal and final orders under Section 6(1) of the Act shall be passed, thereafter. It is needless to state that in case, no objection is filed by the petitioners, the



Circle Officer, Sonvadhar, Vansi Surajpur, Arwal shall pass *ex-parte* orders.

It is further directed that till the passing of the final order by the Circle Officer, Sonvadhar, Vansi Surajpur, Arwal under Section 6(1) of the Act, 1956, *status quo* existing as on today, shall be maintained.

(Mohit Kumar Shah, J)

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