

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24662 of 2019

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Shyam Bihari Kharwar Son of Munsii Kharwar, R/o Village and P.O.-
Salakhua, P.S. Kudra, District- Kaimur(Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department Land Reforms and Revenue, Govt. of Bihar.
2. The District Magistrate, Kaimur at Bhabua.
3. The Sub- Divisional Officer, Mohania, District- Kaimur.
4. The Circle Officer, Kudra, District- Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Advocate
For the Respondent/s : Mr. Mukul Prasad, A.C. to G.P. 18

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-01-2020 Heard learned counsel for the parties.

2. The petitioner is aggrieved by issuance of notice under Section 6 (2) of the Bihar Public Land Encroachment Act, 1956, whereby he has been asked to remove the encroachment caused by him which has been held to be a public land.

3. The petitioner has statutory remedy of appeal under the Act.

4. Learned counsel for the petitioner seeks permission to withdraw this application with liberty to the petitioner to prefer an appeal against the impugned notice.

5. The application is disposed of as withdrawn with liberty to the petitioner to prefer an appeal against the impugned



notice under the Bihar Land Encroachment Act, 1956. If any such appeal is preferred within one month from today with an application seeking condonation of delay in filing appeal, the same shall be considered liberally keeping in mind the fact that the petitioner was pursuing his remedy before this Court by filing the present writ application.

(Chakradhari Sharan Singh, J)

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