

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1224 of 2020

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1. Ramdev Singh S/o Sri Devendra Singh, resident of Ward no. - 3, village-Chhamtha Chhotkhut, P.S.- Bachhwara, District- Begusarai.
 2. Baleshwar Thakur, s/o Late Ramjivan Thakur, resident of Ward no. - 3, village - Chhamtha Chhotkhut, P.S. - Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Begusarai.
2. The District Magistrate, Begusarai.
3. The Deputy Collector Land Reforms, Teghra, Begusarai.
4. The Sub-Divisional Officer, Teghra, Begusarai.
5. The Circle Officer, Bachhwara, Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate
For the State : Mr. Mukul Prasad, A.C. to G.P. 18.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-01-2020 Heard learned counsel for the parties.

2. The petitioners have put to challenge the notice issued by the Circle Officer, Bachhwara, in a Land Encroachment proceeding, registered as Land Encroachment Case No.04/2017-18 whereby they have been asked to remove the encroachments from public land which they are said to have caused by constructing a dwelling house. It is the petitioners' case that against the order of the Circle Officer passed in Land Encroachment Case No.04/2017-18, the petitioners have preferred statutory appeal under Section 11 of the Bihar Land



Encroachment Act which has yet not been decided and during the pendency of the said appeal, the Circle Officer is taking steps for getting the petitioners' structure removed from the land in question.

3. Considering the facts and circumstances of the case, this application is disposed of with a direction that let appeal No. 2/2019 be disposed of by the Collector within four weeks from the date of receipt/production of a copy of this order. It will be open for the Collector to dispose of appeal on any date prior to completion of four weeks. Till the appeal preferred by the petitioners is disposed of by the Collector, no steps shall be taken for removal of the encroachment in question. Once the appeal is disposed of, the respondent shall be at liberty to proceed in accordance with law.

(Chakradhari Sharan Singh, J)

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