

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4313 of 2020

1. Nagendra Singh S/o Late Madho Singh, resident of Village- Mohiuddinpur Tarwan, P.O.- Suitha, P.S. Parsa Bazar, District- Patna.
2. Surendra Prasad Singh, S/o Late Raghunandan Singh, resident of Village- Mohiuddinpur Tarwan, P.O.- Suitha, P.S. Parsa Bazar, District- Patna.
3. Suresh Singh, S/o Late Alakh Singh, resident of Village- Mohiuddinpur Tarwan, P.O.- Suitha, P.S. Parsa Bazar, District- Patna.
4. Ajayanand Pandey @ Ajay Kumar, S/o Late Gauri Shankar Pandey, resident of Village- Mohiuddinpur Tarwan, P.O.- Suitha, P.S. Parsa Bazar, District- Patna.
5. Nityanand Pandey @ Naumi Pandey, S/o Late Gauri Shankar Pandey, resident of Village- Mohiuddinpur Tarwan, P.O.- Suitha, P.S. Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Collector, Patna.
3. The Circle Officer, Circle Office Phulawari Sharif, District- Patna.
4. Rupesh Kumar, Son of Abhay Singh, Resident of Village- Tarwan, P.S. Parsa Bazar, P.O.- Suitha, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Abhay Kumar Thakur, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha (SC-19)
		Mr. Akhilesh Kumar Sinha, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2021 Initially the writ petition was filed for quashing the show cause notice dated 16.12.2019 passed by the Circle Officer, Phulwari Sharif in Encroachment Case No. 17 of 2015-16, however, during the interregnum period, the Circle Officer, Phulwari Sharif, Patna has passed the final order dated 29.01.2020.



The learned counsel for the petitioners seeks liberty to prefer an appeal against the aforesaid order dated 29.01.2020 but he submits that limitation, if any, may be directed to be condoned.

Having regard to the facts and circumstances of the case, the petitioners are granted liberty to file appropriate appeal against the aforesaid order dated 29.01.2020 and in case such an appeal is filed within a period of four weeks from today, the case of the petitioners shall be decided by the appellate authority on merits, without being impeded by the issue of limitation.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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