

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.525 of 2022

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Umesh Prasad S/o Nathu Sah R/o Village- Tikulia, Chiran Chowk, Ward No. 6, Chanpatia, P.O. and P.S.- Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, West Champaran, at Bettiah.
2. The District Magistrate, West Champaran, at Bettiah.
3. The Addl. Collector, West Champaran, at Bettiah.
4. The Circle Officer (The Collector under Bihar Public Land Encroachment Act), Canpatia, West Champaran.
5. Rajan Kumar S/o- late- Shambhu Prasad, R/o- Chanpatia, Purana Chiran Machine, P.O. and P.S.- Chanpatia, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastava, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-06-2022 Though the present writ petition was filed for quashing the notice dated 18.11.2021, passed in Encroachment case no. 10/21-22, issued by the Circle Officer, Chanpatia, West Champaran, whereby and whereunder it was postulated that since the petitioner had encroached the public land, his residential house was required to be demolished, however in the counter affidavit filed by the respondent State, an order dated 18.11.2021 has been annexed by the Circle Officer, Chanpatia, whereby and whereunder final order has been passed under ***Section 10 of the Bihar Public Land Encroachment Act, 1956*** (hereinafter to be referred to as “Act 1956”) which is appealable



under ***Section 11 of the Act, 1956.***

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate appeal against the aforesaid order dated 18.11.2021, however seeks protection in the meantime. Liberty so sought is granted.

It is needless to state that for a period of four weeks from today, *status quo* existing as on today, shall be maintained.

The Circle Officer, Chanpatia is directed to supply a copy of the aforesaid order dated 18.11.2021, immediately, upon the petitioner approaching him.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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