

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.492 of 2019

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Bhola Ray, son of Late Manishi Ray, resident of village- Dharampur
Ishahaque, P.S. B aruraj, District Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate cum Collector, Muzaffarpur.
2. The Sub-Divisional Officer, West, Muzaffarpur.
3. The Circle Officer, Block Motipur, District Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Yugal Kishore, Adv.
For the Respondent/s	:	Mr.Sajid Salim Khan-25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 01-07-2022 Though, the present writ petition has been filed for staying the proceeding of the Encroachment Case No. 2 of 2018-2019 initiated by the Circle Officer, Motipur, Muzaffarpur, however, the learned counsel for the petitioner has confined his reliefs to granting of liberty to the petitioner to file appropriate show cause reply annexing the relevant documents in his favour, which should be directed to be considered by the Circle Officer, Motipur Muzaffarpur, while passing the final order under section 6(1) of the Bihar Public Land Encroachment Act, 1956.

The learned counsel appearing for the Respondent State, Shri Sajid Salim Khan, submits that the Circle Officer, Motipur, Muzaffarpur shall definitely consider the show cause reply of the petitioner, including the documents to be submitted by the petitioner herein and pass appropriate orders in accordance with law.



Having regard to the facts and circumstances of the case, the present writ petition stands disposed of with liberty to the petitioner to file appropriate show cause reply annexing relevant documents in his favour within a period of four weeks from today in the ongoing Encroachment Case No. 2 of 2018-19, which shall be considered by the Circle Officer, Motipur, Muzaffarpur and final order shall be passed within a period of six weeks, thereafter.

It is needless to state that till the final order is passed by the Circle Officer, Motipur, Muzaffarpur, in the aforementioned encroachment case, status quo existing as on today shall be maintained.

(Mohit Kumar Shah, J)

Tiwary/-

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