

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21014 of 2018

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Namita Akhauri @ Anita Devi Wife of Akhauri Niranjana Resident of
Mohalla-Bahuar Chaura, Police Station Vishnupad Distt.-Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector Gaya
3. The Circle Officer Town Block Gaya
4. Baijnath Sharma Son of Sarju Singh Resident of Mohalla Chandchaura
Police Station Vishnupad, Distt.-Gaya the so-called Secretary Bahuar Chaura
Public Trust Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar, Adv.
For the Respondent/s	:	Mr. Kinkar Kumar -Sc9
		Ms. Deepika Sharma, AC to SC-9

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 06-09-2022 Though the present writ petition has been

filed for quashing the notice dated nil, issued in
connection with Encroachment Case No. 15/2012-
2013, by the Circle Officer, Town Block Gaya and
the order dated 3.8.2018 passed by the District
Magistrate, Gaya in a case bearing Encroachment
Case No. 9/2017, whereby and whereunder the
appeal has been held to be not maintainable
inasmuch as the petitioner had filed the appeal



against a notice, issued to the petitioner, however, the learned counsel for the petitioner prays that the petitioner be granted an opportunity to appear before the Circle Officer, Town Block Gaya & present his defence.

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 written statement/ objections before the Circle Officer, Town Block Gaya in connection with Encroachment Case No. 15/2012-2013 within a period of six weeks from today, whereupon the Circle Officer, Town Block Gaya shall consider the same & pass appropriate final orders under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, within a period of twelve weeks, thereafter.

Consequently, this Court holds the notice issued to the petitioner in connection with Encroachment Case No. 15/2012-2013, annexed as Annexure-1 to the present writ petition, to be redundant and void.



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

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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