

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4558 of 2019

1. Ramchandra Rai and Anr S/o Late Siyaram Rai Vill.- Morwara, P.s.- Kalyanpur, Distt.-Samastipur
2. Dharmendra Rai S/o Late Laxaman Rai Vill.- Morwara, P.s.-Kalyanpur, Distt.-Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through the Principal Secretary, Land Reform Department, Govt. of Bihar, Patna
2. District Magistrate Samastipur
3. Sub-Divisional Officer Samastipur
4. Circle Officer Samastipur
5. Officer Incharge Kalyanpur Police Station, Samastipur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 18-07-2022 Though the present writ petition has been filed challenging the notice issued by the Circle Officer, Samastipur dated 5.11.2018 in Encroachment Case No. 17/2018-19, however, it has been submitted by the petitioners that the objection filed by the petitioners on 5.12.2018 (Annexure-8 to the present writ petition) be directed to be considered and after hearing the



affected parties, final orders be directed to be passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 and till then, some protection be granted to the petitioners.

The learned counsel for the Respondent-State submits that the aforesaid objection of the petitioners shall definitely be considered by the Circle Officer, Samastipur and appropriate orders shall be passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 expeditiously.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed of with a direction to the Circle Officer, Samastipur to consider the objection filed by the petitioners i.e. Annexure-8 to the present writ petition and after granting an opportunity of hearing to the petitioners, pass final orders in the aforesaid Encroachment Case No. 17/2018-19 within a period of twelve weeks from today.

It is needless to state that till the passing of the final order by the Circle Officer, Samastipur, 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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