

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5163 of 2022

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1. Ramesh Kumar Bharti Son of Late Kiro Yadav Resident of Masjid Road, Naugachhiya, P.S. Naugachhiya, District- Bhagalpur- 853204.
 2. Vinay Kumar @ Vinay Kumar Poddar Son of Siyaram Poddar Resident of Dharmshala Road, Naugachhiya, P.S.- Naugachhiya, District- Bhagalpur- 853204.
 3. Upendra Poddar Son of Shiv Narayan Poddar Resident of Masjid Marg, Naugachhiya, P.S. Naugachhiya, District- Bhagalpur- 853204.
 4. Arun Kumar Sharma Son of Fulo Sharma Resident of Masjid Marg, Naugachhiya, P.S. Naugachhiya, District- Bhagalpur- 853204.
 5. Md. Gafur @ Md. Gafar Son of Md. Khudabaksh Resident of Masjid Marg, Naugachhiya, P.S. Naugachhiya, District- Bhagalpur- 853204.
 6. Md. Jafar Maniyar Son of Md. Khudabaksh Resident of Masjid Marg, Naugachhiya, P.S. Naugachhiya, District- Bhagalpur- 853204.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land and Revenue Department, Bihar, Patna.
2. The Collector, Bhagalpur.
3. The Deputy Collector, Land Reform, Bhagalpur.
4. The Sub-Divisional Officer, Bhagalpur.
5. The Circle Officer, Naugachhiya, Dist- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur, Advocate Mr. Ranjan Kumar Jha, Advocate
For the Respondent/s	:	Mr. Raj Kishore Roy (GP- 18) Mr. Mukhul Prasad, AC to GP-18

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 21-07-2022 Though the present writ petition was filed for quashing the notice dated 23.03.2022 issued by the Circle Officer, Naugachhiya, District-Bhagalpur i.e. the respondent no. 5 in connection with Encroachment Case No. 5 of 2021-22 but the learned counsel for the petitioner has confined the prayer of



the petitioners to grant of liberty to them to file show cause reply afresh before the Circle Officer, Naugachhiya, District-Bhagalpur in the aforesaid on going Encroachment Case bearing Encroachment Case No. 5 of 2021-22.

Having regard to the limited prayer made by the petitioner, the present writ petition stands disposed off with liberty to the petitioner to file show cause reply within a period of four weeks from today and in case such a reply is filed, the same shall be considered by the respondent no. 5 and final order shall be passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956').

It is needless to state that in case appropriate show cause reply is filed within a period of four weeks from today, status quo existing as on today shall be maintained till the final order is passed by the respondent no. 5

(Mohit Kumar Shah, J)

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