

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13659 of 2021

Prakash Kumar Mandal Son of Sadanand Mandal Resident of Tikapatti, Ward No. 16, Dhusar Tikapatti, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate cum Collector, Purnea.
3. Additional Collector, Purnea.
4. The Circle Officer, Rupouli, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh, Advocate
For the Respondent/s : Mr.Sajid Salim Khan, SC-25

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-11-2022 The present writ petition has been filed for quashing the notice dated 10.06.2021, issued by the Circle Officer, Rupouli, Purnea, i.e. the respondent no. 4, whereby and whereunder the petitioner has been directed to file his show cause/objections and produce documents to show that he is having valid right, title and interest over the land appertaining to Mauza-Dhusar, Tikapatti, Thana No. 287/1, Khata No. 1595, Khesra No. 5346, Area- 2.46 decimal, situated at Mahatma Gandhi District Institute of Education and Training (DIET), Tikapatti, inasmuch as it has been alleged that the petitioner has encroached the land belonging to Mahatma Gandhi District Institute of Education and Training (DIET), Tikapatti.

The learned counsel for the petitioner, at the outset submits that the petitioner would be filing a reply/show cause/objection to the aforesaid notice dated 10.06.2021, within a period of six weeks from today, whereupon the respondent no. 4 be directed to pass appropriate orders under Section 6(1) of



the Bihar Public Land Encroachment Act, 1956.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present writ petition with liberty to the petitioner to file appropriate show cause/objections, annexing relevant documents regarding his right, title and interest over the land in question, within a period of six weeks from today, before the respondent no. 4, whereupon the respondent no. 4 shall consider the same and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, within a period of 12 weeks, thereafter.

It is needless to state that in case the petitioner files his show cause/reply within a period of six weeks from today, status quo existing as on today, qua the plot/ house of the petitioner in question shall be maintained till the passing of the final order by the respondent no. 4, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956.

(Mohit Kumar Shah, J)

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