

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12058 of 2018

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1. Lallan Bharti @ Lalanji Bharti and Anr Son of Late Mahangu Ram @ Mahagu Rajak,
 2. Satya Narayan Ram @ Satya Narayan Rajak, Son of Late Mahangu Ram @ Mahangu Rajak. Both are residents of Village- Dariyapur, P.S. Udwant Nagar, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Revenue Department, Bihar, Patna.
2. The Collector, Bhojpur.
3. The Sub-Divisional Officer, Ara, District- Bhojpur.
4. The Circle Officer, Udwant Nagar, District Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Brajesh Prasad Gupta, Adv.
For the Respondent/s : Mr.Subhash Chandra Yadav- GP15

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 14-11-2022 Though, the present writ petition has been filed for quashing the notice dated 21.06.2018, passed by the Circle Officer, Udwant Nagar, District Bhojpur, whereby and where under the petitioners have been directed to remove the encroachment in question, however, the respondent State has filed a counter affidavit, wherein it has been stated that an encroachment proceeding bearing Encroachment Case No. 01 of 2017-18 has been initiated by the Circle Officer, Udwant Nagar, District Bhojpur, i.e. the respondent no. 4, but till date the final order under Section 6(1) of the Bihar Public Land



Encroachment Act, 1956, has not been passed.

In such view of the matter, this Court deems it fit and proper to dispose off the present writ petition with liberty to the petitioner to file appropriate reply/objections in the ongoing Encroachment Case No. 01 of 2017-18, within a period of 4 weeks from today, 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 and till then status quo existing as on today qua the land/house of the petitioner in question shall be maintained.

(Mohit Kumar Shah, J)

Tiwary/Saurav

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