

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7520 of 2018

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Ajay Prasad Sah son of Late Rameshwar Prasad Sah, resident of Mohalla-Khagra, Ward No. 32, Town, Police Station and District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Kishanganj.
3. The Circle Officer, Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Najmul Hoda, Advocate
For the Respondent/s : Mr.Subhash Chandra Yadav, GP-15

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-08-2022 Though, the present writ petition has been filed seeking quashing of the notice dated 04.01.2018 issued under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956'), in connection with a Land Encroachment Case initiated against the petitioner, but it is the submission of the learned counsel for the petitioner that without passing any order under Section 6(1) of the Act, 1956, a notice dated 24.02.2018 under Section 6(2) of the Act, 1956 has been issued, hence, it is submitted that the petitioner be granted liberty to file his show cause reply and the Circle Officer, Kishanganj i.e. the respondent no. 3, be directed to pass final order under Section 6(1) of the Act, 1956.

Accordingly, the present writ petition stands disposed



off with liberty to the petitioner to file appropriate show cause reply in the aforesaid encroachment case, initiated against the petitioner, within a period of four weeks from today whereupon the respondent no.3 shall consider the same and pass final orders thereon under Section 6(1) of the Act, 1956 within a period of 12 weeks, thereafter.

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

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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