

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3310 of 2021

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Bijay Patel Son of Late Babulal Patel Resident of Village- Bahadur Pur, P.S.-
Darpa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Collector, Motihari East Champaran.
3. The Additional Collector, East Champaran.
4. The Deputy Collector, Land Reform, Motihari, East Champaran.
5. The Sub Divisional Officer (S.D.O.), Raxaul, East Champaran.
6. The Circle Officer, Adapur, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate
For the Respondent/s : Mr.Lalit Kishore (AG)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 26-08-2022 Though the present writ petition has been filed for quashing the notice issued under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956') pertaining to Encroachment Case No. 34 of 2019-20, issued by the Circle Officer, Adapur, East Champaran i.e. the respondent no. 6, however, the learned counsel for the petitioner has limited his prayer to grant of liberty to the petitioner to approach the respondent no. 6 by filing additional show cause reply whereupon the respondent no. 6 be directed to pass the final order under Section 6(1) of the Act, 1956 and till then some protection be granted to the petitioner.



Having regard to the facts and circumstances of the case, the present writ petition stands disposed off with liberty to the petitioner to file his additional show cause reply before the respondent no. 6 in the ongoing Encroachment Case No. 34 of 2019-20, within a period of four weeks from today, which shall be considered by the respondent no. 6 and a final order shall be passed 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.

(Mohit Kumar Shah, J)

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