

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5794 of 2018**

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Shafique @ Saffiq Ansari, son of Samid Anhsari @ Sameer Ansari, r/o  
mohalla-Ward no. 32, Khagra, Karballa, PS-Kishanganj, District- Kishanganj

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Kishanganj
3. The Circle officer, Kishanganj Block, District-Kishanganj
4. The Municipality, Kishanganj through its Executive Officer, Kishanganj
5. The Executive Officer, Kishanganj Municipality, Kishanganj

... .. Respondent/s

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**Appearance :**

|                             |   |                               |
|-----------------------------|---|-------------------------------|
| For the Petitioner/s        | : | Mr.Raj Kumar, Advocate        |
| For the Respondent/s        | : | Mr.Raj Kishore Roy -Gp18      |
| For Kishanganj Municipality | : | Mr. Bindhyachal Rai, Advocate |

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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 notices dated 04.01.2018 and 24.02.2018, issued by the Circle Officer, Kishanganj ***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 16 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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