

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6154 of 2018

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Mahendra Kumar Jain Son of Sukhdeo Jain, Resident of Mohalla- Khagra,
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.Rishi Raj Sinha- Sc19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-08-2022 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 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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