

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9000 of 2018

1. Dilip Kumar Singh
2. Deepak Kumar Both Sons of late Jai Narain Singh Resident of Village- Sakh Mohan, Post office- Sakh Mohan, Police Station- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Samastipur.
3. The Sub Divisional Officer, Rosera, Samastipur.
4. The Circle Officer, Anchal- Bibhutipur, Samastipur.
5. Ram Binay Singh Son of late Bishundeo Singh Resident of Village- Sakh Mohan, Post office- Sakh Mohan, Police Station- Bibhutipur, District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gopal Pandey, Advocate
For the Respondent/s : Mr. Dhurjati Kr. Prasad, G.P.-14

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 08-08-2022 Though the present writ petition has been filed for quashing the notice dated 05.03.2018 issued under Section 6(2) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956') in connection with Encroachment Case No. 12 of 2017-18, by the Circle Officer, Bibhutipur, District-Samastipur i.e. respondent no. 4, however, upon filing of the counter affidavit filed by the respondent-State, it has transpired that no order has been passed under Section 6(1) of the Act, 1956, hence the learned counsel for the petitioner seeks liberty to file



his show cause reply in the aforesaid Encroachment Case No. 12 of 2017-18, however, seeks some protection, in the meantime.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed off with liberty to the petitioner to file reply before the respondent no. 4 in the aforesaid Encroachment Case No. 12 of 2017-18 within a period of four weeks from today, which shall be considered by the respondent no. 4, in accordance with law and appropriate orders 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 16 weeks from today, status quo existing as on today, shall be maintained.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

