

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8956 of 2020

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Jang Bahadur Singh Son of Sri Jeet Lal Singh Resident of Mohalla-Sheonagar, Police Station-Parsa Bazar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
3. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
4. The Collector, Patna Collectorate, District-Patna.
5. The Circle Officer, Phulwarisharif Circle, District-Patna.
6. The Senior Superintendent of Police, Patna, District-Patna.
7. The Station House Officer/In-Charge, Parsa Bazar, Police Station, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kaushal Kumar, Advocate
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-10-2022 Though, the present writ petition has been filed for quashing the notice dated 25.07.2020, passed under Section 6(2) of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No. 27 of 2019-20, by the Circle Officer, Phulwarisharif, Patna, i.e. the respondent no. 5, however, a counter affidavit has been filed in the present case, wherein there is no whisper about any order having been passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956.



In such view of the matter, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file his objection/ show cause reply, in connection with Encroachment Case No. 27 of 2019-20, within a period of four weeks from today. Liberty so sought is granted.

It is needless to state that in case, appropriate objection/ show cause reply is filed within a period of four weeks from today, the respondent no. 5 shall consider the same and pass appropriate order, in accordance with law under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, within a period of twelve weeks, thereafter. For a period of sixteen weeks from today, it is directed that *status quo* existing as on today *qua* the land/house of the petitioner in question shall be maintained.

The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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