

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10725 of 2022

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Sudhir Choudhary Son of Late Basuki Choudhary @ Basudeo Narayan Choudhary, Resident of Village-Dhouni, P.S. Tarapur, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land and Revenue Department, Government of Bihar, Old Secretariat, Patna, Bihar.
2. The Collector, Munger, Distt-Munger.
3. The Additional Collector, Land and Revenue, Munger, Dist-Munger.
4. The Circle Officer (Anchaladhikari) of Tarapur Circle, Dist-Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha,Advocate
For the Respondent/s : Mr.Sajid Salim Khan,SC-25

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-09-2022 It is the case of the petitioner that though this Hon'ble Court vide order dated 01.08.2019, passed in CWJC No. 178 of 2017, has directed the Circle Officer, Tarapur, Munger i.e. respondent no. 4, to conclude the proceedings of Encroachment Case No. 1 of 2016-17, pertaining to Khata No.79, Khesra No.211, situated at Mouza-Dhouni, Thana No. 194, District-Munger, however, the Circle Officer, Tarapur, has also included the plot of the petitioner appertaining to Khata No. 79, Khesra No. 203, and has issued a notice under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the "Act,1956") to the petitioner herein.

In such view of the matter, the learned counsel for the



petitioner seeks liberty on behalf of the petitioner to file requisite reply/objection to the said notice issued under Section 3 of the Act, 1956 by the Circle Officer, Tarapur, however, seeks some protection in the meantime.

Having regard to the facts and circumstances of the case, this Court grants liberty to the petitioner to file his reply/objection in the said proceedings initiated by the Circle Officer, Tarapur under the provisions of the Act, 1956, however, deems it fit and proper to also direct the parties to maintain status quo existing as on today qua the plot/house of the petitioner herein in question till the final order is passed under Section 6(1) of the Act, 1956.

It is clarified that in case no objection/reply is filed by the petitioner, within a period of four weeks from today, the aforesaid protection being granted to the petitioner would stand revoked automatically.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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