

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11285 of 2022**

Mr. Nagendra Prasad Son of Jay Mangal Singh, Resident of Village Dindyalganj, Post- Kobil, Mozafra, Nalanda, Bihar- 801303.

... .. Petitioner/s

Versus

1. The State of Bihar Through The Principle Secretary Land and Revenue Department, Government of Bihar.
2. The District Magistrate, Nalanda, Bihar.
3. The Circle Officer, Islampur, Nalanda.
4. The Superintendent of Police, Nalanda.
5. The Station House Officer, Islampur, Nalanda.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Atulya Anand, Advocate  
For the Respondent/s : Mr.Sajid Salim Khan (SC 25)

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      30-08-2022                      Though the present writ petition has been filed for quashing the notice dated 19.07.2022, issued to the petitioner 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. 18 of 2021-22 but the respondent State has filed a counter affidavit wherein an order dated 19.07.2022, passed by the Circle Officer, Islampur, Nalanda has been annexed, however the said order is apparently not an order passed under ***Section 6(1) of the Act, 1956***. In such view of the matter, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the concerned



Circle Officer by filing an additional show cause reply/objections, however he seeks some protection during the pendency of the said Encroachment case and till passing of the final orders under ***Section 6(1) of the Act, 1956***.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed off, however, with liberty to the petitioner to file additional show cause reply/objections in the on-going Encroachment case no. 18 of 2021-22, within a period of four weeks from today, whereafter the Circle Officer, Islampur, Nalanda shall consider the same and pass final orders 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 present writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

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