

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11288 of 2022

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Mrs. Kumari Asha Sinha Wife of Mr. Nawal Kishore, resident of Teachers Colony, Hanumanganj, Islampur, 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

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Appearance :

For the Petitioner/s : Mr. Atulya Anand, Adv.

For the Respondent/s : Mr. Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 01-09-2022 In pursuance to the earlier order of this Court dated 25.08.2022, a counter affidavit has been filed in the present case by the District Magistrate, Nalanda, wherein it has been stated that no order has been passed till date u/s 6(1) of the Bihar Public Land Encroachment Act, 1956, as far as Encroachment Case No. 18 of 2021-22 is concerned, hence, the matter shall be heard at length by the answering respondent, in presence of the concerned party.

At this juncture, the learned counsel for the petitioner submits that the aforesaid Encroachment Case No. 18 of 2021-22 is being heard by the Circle Officer, Islampur, Nalanda,



hence, direction be issued to the Circle Officer, Islampur to hear the petitioner and pass the final order in the aforesaid encroachment case.

Having regard to the facts and circumstances of the case, this Court directs the Circle Officer, Islampur, Nalanda to hear the petitioner and accept any additional affidavit/ reply to be filed by the petitioner in the ongoing Encroachment Case No. 18 of 2021-22, whereafter, he shall pass appropriate order u/s 6(1) of the Bihar Public Land Encroachment Act, 1956 and take the necessary consequential action, accordingly.

It is needless to state that till the final order is passed u/s 6(1) of the Bihar Public Land Encroachment Act, 1956, status quo existing as on today shall be maintained.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Tiwary/-

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