

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12413 of 2017

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Sheikh Shamshad Ali Son of Late Abdul Haque Resident of Village Kurwa,
P.S. Barharia, District Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Land Revenue Department, Bihar, Patna.
3. The District Magistrate, Siwan.
4. The Circle Officer, Barharia, Siwan.
5. The Revenue Clerk, Barharia Block, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar Sinha, Sr. Adv. Mr.Ajay Kumar Pandey, Adv.
For the Respondent/s	:	Mr.Mukul Prasad, Ac to GP-18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 25-07-2022 Though the present writ petition has been filed for quashing the notice dated 2.6.2017, issued to the petitioner under Section 3 of the Bihar Public Land Encroachment Act, 1956 in Encroachment Case No. 8/2016-17, however, the learned Senior Counsel for the petitioner has confined his relief to grant of liberty to the petitioner to file fresh show cause reply before the Circle Officer, Barharia, Siwan i.e. the Respondent No. 4 as also issuance of directions upon the



Respondent No. 4 to pass final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 and till then, it is submitted that some protection be granted to the petitioner.

The learned counsel for the Respondent-State has submitted that if no final order has been passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, the same shall definitely be passed within a stipulated time frame.

Accordingly, the present writ petition stands disposed of, however, with liberty to the petitioner to file appropriate show cause reply within a period of four weeks from today, which shall be decided by the Respondent No. 4 by passing final orders under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 within a period of twelve weeks, thereafter.

It is needless to state that till the final order is passed by the Respondent No. 4 under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, status quo, existing as on today, shall be maintained.



The writ petition stands disposed of on the
aforesaid terms.

(Mohit Kumar Shah, J)

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