

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14408 of 2022

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Kapildev Maha Seth Son of Late Asharfi Maha Seth Resident of Village and
P.S.-Madhwaur, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Divisional Commissioner, Darbhanga Division, Darbhanga.
3. The Collector Cum District Magistrate, Madhubani.
4. The Deputy Development Commissioner Cum Chief Executive Officer, Zila Parishad, Madhubani.
5. The Additional Collector, Madhubani.
6. The Sub-Divisional Officer, Benipatti, District-Madhubani.
7. The Deputy Collector, Land Reforms, Benepatti, District-Madhubani
8. The Circle Officer, Madhwapur, District-Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha
For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-12-2022 The present writ petition has been filed for quashing the notice dated 05.03.2022 issued by the Circle Officer, Madhwapur under Section 6(2) of the Bihar Public Land Encroachment Act, 1956, as also the notice dated 29.08.2022. The learned counsel for the Respondent-State has filed a counter affidavit, which is taken on record.

The learned counsel for the Respondent-State, by referring to the counter affidavit, filed in



the present case, has submitted that the Circle Officer, Madhwapur, District-Madhubani i.e. the Respondent No. 8 has already passed the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 in connection with Encroachment Case No. 2/2019-20, which is dated 25.9.2019/5.3.2022/17.3.2022.

At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate appeal, challenging the aforesaid orders passed by the Respondent No. 8. Liberty, so sought, is granted.

The writ petition stands disposed of.

(Mohit Kumar Shah, J)

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