

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20131 of 2021

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Md. Shabbir Alam Son of Late Md. Khalil Uddin, Resident of Village -
Paharpur Bazar, Simri Bakhtiyarpur, P.S.- Bakhtiyarpur, District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue Land Acquisition Department, Bihar, Patna.
2. The Principal Secretary, National Highway Department, Bihar, Patna.
3. The Collector cum District Magistrate, Saharsa.
4. The District Land Acquisition Officer, Saharsa.
5. The Executive Engineer, National Highway Division, Saharsa.
6. The Sub-Divisional Officer, Simri Bakhtiyarpur Sub-Division, Simri Bakhtiyarpur, District - Saharsa.
7. The Circle Officer, Simri Bakhtiyarpur Circle, Simri Bakhtiyarpur Sub-Division, District - Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ratan Kumar, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 28-07-2022 Though the District Magistrate, Saharsa was directed to file an affidavit bringing on record the order passed under ***Section 6(1) of Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”)*** in connection with Encroachment case no. 02 of 2019-20, however the learned counsel for the respondent- State Md. Khurshid Alam, AAG 12 has informed this Court that no order under ***Section 6(1) of the Act, 1956*** has been passed till date, hence the petitioner may approach the Circle Officer, Simri Bakhtiyarpur i.e. the



respondent no. 7 and file his objections/ show cause reply, whereafter, the respondent no. 7 shall definitely pass a final order under ***Section 6(1) of the Act, 1956.***

Accordingly, the present writ petition stands disposed off, however with a liberty to the petitioner to file objections/ show cause reply before the respondent no. 7 in the aforesaid Encroachment case, within a period of four weeks from today, whereupon the respondent no. 7 shall consider the same and pass final order under ***Section 6(1) of the Act, 1956,*** within a period of twelve 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.

(Mohit Kumar Shah, J)

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