

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14607 of 2022

=====

Arun Kumar Roy S/o Bholu Prasad Roy, resident of Village and Post- Dekuli
Dham, P.S.- Biroul, District- Darbhanga, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Darbhanga.
2. The Collector, Darbhanga at and P.O.- Laheriasarai, Darbhanga.
3. The Circle Officer, Biroul, Darbhanga.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Manish Jha

For the Respondent/s : Mr.Md. Khurshid Alam (Aag 12)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-11-2022 At the outset, the learned counsel for the petitioner seeks to file a supplementary affidavit, wherein it has been stated that the case number of the title suit in question has been wrongly mentioned as Title Suit No. 178 of 2022, hence, the same be read as Title Suit No. 129 of 2022. Let the said supplementary affidavit be kept on record.

Though, the present writ petition was filed for setting aside the notice dated 27.08.2022 issued by the Circle Officer, Biroul, Darbhanga in Encroachment Case No. 10 of 2020-21 whereby and where under the petitioner has been directed to remove the encroachment in question but it has been alleged that no final order has been passed till date, under section 6(1) of the Bihar Public Land Encroachment Act, 1956, however, today the learned counsel for the State has produced an order



dated 20.08.2022, passed by the Circle Officer, Biroul, Darbhanga i.e. the respondent no.3, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 and a copy of the same has also been handed over to the learned counsel for the petitioner.

At this juncture, the learned counsel for the petitioner, though seeks liberty on behalf of the petitioner to challenge the order dated 20.08.2022, by filing appropriate appeal, but also seeks liberty to use the photo copy of the aforesaid order dated 20.08.2022, served upon him by the learned counsel for the respondent State, for the purposes of filing appeal. Liberty so sought is granted.

It is needless to state that in case appropriate appeal is filed, within a period of 4 weeks from today, the petitioner shall not be displaced from his land/house in question till the disposal of the appeal, to be filed by the petitioner.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Tiwary/-

U			
---	--	--	--

