

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20434 of 2021**

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Rama Devi wife of Sri Rajendra Kumar Bhagat Resident of Village- Paharpur,  
Ward No. 3, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, 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 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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