

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4991 of 2022

Shivshankar Mahto, Son of Late Kashi Mahto, Resident of Village - Amathua
Kazisarai, Qazisarai, P.S. - Jehanabad, District - Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate Jehanabad.
3. The Deputy Collector, Land Reforms, Jehanabad.
4. The Sub-Divisional Officer - Cum - Sub - Divisional Magistrate, Jehanabad.
5. The Circle Officer, Kako, Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bhim Sen Prasad
For the Respondent/s : Mr.Sajid Salim Khan (Sc 25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 30-06-2022 Though, the present writ petition has been filed seeking to challenge the notice dated 06.01.2022 issued by the Circle Officer, Kako, Jehanabad directing the petitioner, who is stated to be in possession of the land appertaining to Khata No. 830 Khesara No. 1274 area 3 decimal situated at Mauza Amathua Kako, Jehanabad, to vacate the house/ premises in question, however, the petitioner seeks liberty to file a show cause reply as also seeks direction upon the Circle Officer, Kako, Jehanabad to pass final order under section 6 (1) of the Bihar Public Land Encroachment Act, 1956.

The learned counsel for the Respondents has got no



objection and has submitted that a final decision would definitely be taken after giving due opportunity to the petitioner.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed of with liberty to the petitioner to file appropriate show cause reply before the Circle Officer, Kako, Jehanabad within a period of four weeks from today, whereupon the Circle Officer, Kako, Jehanabad shall consider the reply of the petitioner and after giving an opportunity of hearing to the petitioner, shall pass the final order under section 6(1) of the Bihar Public Land Encroachment Act, 1956.

It is needless to state that till the final order is passed by the Circle Officer concerned, under section 6(1) of the Act, 1956, status quo existing as on today, shall be maintained.

(Mohit Kumar Shah, J)

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