

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20901 of 2018

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Jagdish Prasad Yadav @ Jagdish Rai S/o Late Ram Najar Prasad Yadav
Resident of Village Tezpurava P.S.- Marhowrah Distt. - Saran, Chapra.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Department of Revenue and Lane Reforms, Govt. of Bihar, Patna
3. The District Magistrate, Saran, Chapra.
4. The Circle officer, Marhowrah, Saran, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prakritita Sharma
For the Respondent/s : Mr.Raj Kishore Roy -Gp18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 06-09-2022 Though the present writ petition has been filed seeking quashing of the order dated 12.2.2018 passed by the Circle Officer, Marhowrah in Encroachment Case No. 1/2017-2018 as also the order dated 10.7.2018 passed in Encroachment Appeal No. 1/ 2018 by the learned District Magistrate, Saran at Chapra, but it is the case of the petitioner that without measurement and demarcation of the land of the petitioner in his presence, the aforesaid orders have been passed illegally, declaring the petitioner to be an encroacher, hence, it is submitted that though the



petitioner be granted liberty to file review under Section 13 of the Bihar Public Land Encroachment Act, 1956, but it be also directed that encroachment / demarcation be made in presence of the petitioner once again. It is directed, accordingly.

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 review petition and in case, the same is filed within a period of four weeks from today, the same shall be considered on merits and after measuring the land in question in presence of the petitioner, appropriate orders shall be passed thereon.

The writ petition stands disposed of.

(Mohit Kumar Shah, J)

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