

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6777 of 2018

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1. Arya Kumar and Anr Son of Late. Suresh Prasad Modi Resident of Village-Sahour, P.S.-Sajour, District-Bhagalpur.
 2. Rani Devi, Wife of Sri. Vijendra Kumar Resident of Village-Sajour, P.S.-Sajour, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Commissioner, Bhagalpur Division, Bhagalpur.
3. The Collector, Bhagalpur.
4. The Sub-Divisional Officer, Bhagalpur.
5. The Deputy Collector Land Reforms, Bhagalpur Sadar, Bhagalpur. null null
6. The Circle Officer, Sahkund, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Navjot Yesu, Adv.
For the Respondent/s : Mr.Abhay Kumar Kashyap, AC to G.P. 18

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 26-07-2022 Though, the present writ petition has been filed seeking quashing of the notice dated 17.03.2018, but the Respondent State has brought to the notice of this Court that an encroachment proceeding bearing Encroachment Case No. 06 of 2017-18, which was initiated for removal of the encroachment in question, appears to have not yet been concluded, hence the petitioner can file objection/ show cause reply in the said pending encroachment proceeding, which would definitely be considered and the said encroachment proceeding shall be taken to its logical conclusion.

Having regard to the facts and circumstances of the



case, the present writ petition stands disposed of, however, with liberty to the petitioner to file appropriate objection/ show cause reply in the pending Encroachment Case No. 06 of 2017-18 before the Circle Officer, Sahkund, Bhagalpur i.e. the Respondent No. 6 and in case such an objection/ show cause reply is filed within a period of four weeks from today, the Respondent No. 6 shall consider the same and pass final order under section 6(1) of the Bihar Public Land Encroachment Act, 1956 within a period of 12 weeks, thereafter.

It is needless to state that for a period of 16 weeks, status quo existing as on today shall be maintained.

(Mohit Kumar Shah, J)

Tiwary/-

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