

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9660 of 2018

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Md. Abu Rehan @ Dr. Rehan Son of Md. Mohiuddin, Resident of Mohalla Ward No. 21, Halim Chouk, Nawab Bagh, P.S.- Kishanganj, District-Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Kishanganj.
3. The Circle Officer, Kishanganj Block, District- Kishanganj.
4. The Municipality, Kishanganj through its Executive Officer Kishanganj.
5. The Executive Officer, Kishanganj Municipality, Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Respondent/s : Mr. Dhurjati Kr. Prasad, G.P.-14
For the Kishanganj Municipality : Mr. Bindhyachal Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 29-08-2022 Though the present writ petition has been filed seeking quashing of the notice issued by the Circle Officer, Kishanganj dated 04.01.2018, under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956') as also the notice dated 24.02.2018, issued under Section 6 of the Bihar Public Land Encroachment Act, 1956, however, the learned counsel for the respondent-State has submitted that an encroachment case bearing Encroachment Case No. 283 of 2017-18 was initiated, nonetheless, despite notices being issued to the petitioner, he has not filed his show cause reply, hence the learned counsel for the petitioner seeks liberty



on behalf of the petitioner to file appropriate show cause reply within a period of four weeks from today.

Accordingly, the present writ petition stands disposed off with liberty to the petitioner to file show cause reply within a period of four weeks from today and in case such a show cause reply is filed, the Circle Officer, Kishanganj shall consider the same and pass the final order under Section 6(1) of the Act, 1956, in the ongoing Encroachment Case No. 283 of 2017-18, within a period of 12 weeks, thereafter, in accordance with law.

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

(Mohit Kumar Shah, J)

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