

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10912 of 2018

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Ajeet Kumar son of late Ramji Prasad resident of village - Kamarthu, P.S. - Chiksaura, District - Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner, Patna Division, Patna.
3. The Magistrate, Nalanda at Biharsharif.
4. The Deputy Collector Land Reforms, Hilsa, Nalanda.
5. The Sub Divisional Officer, Hilsa, Nalanda.
6. The Circle Officer, Karayparsuray, Nalanda.
7. Navin Kumar son of Munni Mahto resident of village - Kamarthu, Post - Mushari, P.S. - Karaypursaray, District - Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Prasad, Advocate
For the Respondent/s : Mr.Subhash Chandra Yadav, GP-15

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 06-09-2022 Though the present writ petition has been filed for quashing the notice dated 11.05.2018, issued by the Circle Officer, Karayparsuray, District-Nalanda, however it is apparent from the said notice dated 11.05.2018 that the same nowhere mentions about initiation of any encroachment proceedings under the Bihar Public Land Encroachment Act, 1956 nor bears any encroachment case number, hence apparently without taking recourse to the due process of law, the said notice dated 11.05.2018 appears to have been issued to the petitioner and this aspect of the matter is not seriously opposed



by the learned counsel appearing for the State.

In such view of the matter, this Court finds that the aforesaid notice dated 11.05.2018 issued by the Circle Officer, Karayparsuray, District-Nalanda is *de hors* the law, hence is void. Accordingly, the same is quashed. The writ petition stands allowed. However, liberty is reserved to the respondent authorities to proceed afresh, in accordance with law.

(Mohit Kumar Shah, J)

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