

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3373 of 2023

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Bashistha Singh @ Bashistha Narayan Singh, Son of Late Bangali Singh
Resident of Village-Shadipur Karari, P.S.-Ballia, District-Begusarai.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The District Magistrate, Begusarai.
3. The Circle Officer, Ballia, District-Begusarai.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Ranjit Kumar, Advocate
For the State	:	Mr. Navnit Kumar, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 26-04-2023 Though, the present writ petition has been filed for quashing the notice dated 31.01.2023 issued by the Circle Officer, Ballia, District-Begusarai, whereby and whereunder the petitioner has been directed to remove the encroachment made over Plot No. 378, situated at village-Manserpur, Begusarai, however, the respondents have filed a counter affidavit in the present case wherein they have brought on record various orders passed by the Circle Officer, Ballia in connection with Encroachment Case No. 03 of 2022-23, but none of the said orders can be stated



to be the final order passed under Section 6(1) of Bihar Public Land Encroachment Act, 1956, (hereinafter referred to as the 'Act, 1956') thus, this Court is satisfied that no final order under Section 6(1) of the Act, 1956 has been passed till date by the Circle Officer, Ballia in connection with Encroachment Case No. 03 of 2022-23.

Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file his objection/representation in the aforesaid Encroachment Case No. 03 of 2022-23, before the Circle Officer, Ballia within a period of four weeks from today, whereupon, the Circle Officer, Ballia shall pass the final order under Section 6(1) of the Act, 1956, in accordance with law, forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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