

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4340 of 2023

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Mithilesh Kumar Son of Late K.P. Singh Resident of Village- Saidanpur, P.S.- Gaurichak, District- Patna presently residing at Type-4, Q.No.- 36, CIMFR Colony, Barwa Road, Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Minor Irrigation Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. Sub-Divisional Officer, Patna City, Patna.
4. Executive Engineer, Minor Irrigation Department, Government of Bihar, Patna Division, Patna.
5. Circle Officer, Fatuah, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sourendra Pandey
For the Respondent/s : Mr.Sita Ram Yadav (GP-16)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 09-10-2023 1. Though the present writ petition has been filed seeking quashing of the notice dated 05.02.2021, issued by the Circle Officer, Fatuah, District-Patna, under Section 3 of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No.1 of 2020-21, but the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file his objections, annexing relevant documents, showing that the petitioner is residing over the land/house in question since more than 70 years, however, seeks a direction upon the Circle Officer, Fatuah, District-Patna to consider the same and pass the final order, thereafter.



2. 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 objections to the aforesaid notice dated 05.02.2021, annexing all the documents which he seeks to rely upon, within a period of six weeks from today, whereupon, the Circle Officer, Fatua, District-Patna shall consider the same and pass a reasoned and a speaking order, in accordance with law under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, forthwith, in case the same has not already been passed.

3. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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