

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4519 of 2023

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Ramashish Singh S/o Late Ambika Singh Resident of Bihar Sanskritik Vidyapeeth, Raja Bazar, P.S.- Raja Bazar, Patna- 800014, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms Department, Patna, Bihar.
2. The District Magistrate, Patna.
3. The Additional Collector, Patna Collectorate, Patna.
4. The Sub-Divisional Officer, Patna Sadar, Patna.
5. The Circle Officer, Patna Sadar, Kumhrar, Patna.
6. The Anchal Amin, Circle Office, Patna.
7. Kamalnath Vishwambharnath Sharma alias Swami Keshwanand Vice Chancellor of Bihar Sanskritik Vidyapeeth, Raza Bazar Patna- 1.
8. Jagat Narayan Sharma, Founder cum Secretary of Bihar Sanskritik Vidyapeeth, Raza Bazar, Patna-1.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajendra Nath Sinha, Advocate
For the State : Mr.Rishi Raj Sinha, SC-19
Mr. Atul Shankar, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-04-2023 The present writ petition has been filed
seeking the following relief:-

*"That this writ application is
being filed for quashing the illegal land
encroachment proceeding no. 43/2021-
2022 initiated by respondent no. 5,
Circle Officer, Patna Sadar whereby and
where under asked him to appear on
17.2.2023 otherwise action ought to be
taken under the Land Encroachment Act.*



Earlier vide notice dated 15.11.2022, same allegation alleged upon petitioner that public land is encroached by him.

Further commanding and directing the respondent no. 5 to abide by the decision of the civil in TS No.224/2021 and also see the outcome of Bihar Religious Board, Bihar Sanskritik Vidyapeeth versus Swami Keshwanand."

At the outset, the learned counsel for the petitioner submits that the petitioner has already filed a detailed objection to the notice issued by the Circle Officer, Patna Sadar, dated 20.01.2023, under Section 3 of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No. 43 of 2021-22, which is at annexure-4 to the present petition, hence, the Circle Officer, Patna Sadar be directed to pass the final order under Section 6(1) of Bihar Public Land Encroachment Act, 1956, and till then some protection be granted to the petitioner.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present writ petition with a



direction to the Circle Officer, Patna Sadar, to pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, in connection with Encroachment Case No. 43 of 2021-22, in accordance with law and after considering the reply/objection filed by the petitioner, forthwith, and till then status quo existing as on today qua the land/house of the petitioner in question shall be maintained.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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