

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7394 of 2023

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Deokant Mishra Son of Late Hari Prasad Mishra Resident of Village-
Kariyan, P.S- Rosera, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Department of Revenue and Land Reforms, Patna.
2. The Principal Secretary, Department of Revenue and Land Govt. of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Sub-Divisional Officer, Rosera, P.S.- Rosera, Distt- Samastipur.
5. The Circle Officer, Shivajinagar, P.S.- Shivaji Nagar, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jagdish Prasad Singh
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 08-12-2023 Heard the parties.

2. From the impugned order dated 21.06.2023 passed in Encroachment Case No. 26 of 2022-23, it appears that the petitioner has not been heard before the order was passed.

3. In these circumstances there has been violation of principles of natural justice and the order dated 21.06.2023 cannot be sustained.

4. Accordingly, this application is allowed and the order dated 21.06.2023 passed in Encroachment Case No. 26 of 2022-23 is hereby quashed.



5. The Circle Officer, Shivaji Nagar, Samastipur is directed to consider the documents filed by the petitioner along with his show cause and hear him and thereafter pass a reasoned order in accordance with law.

6. Till the final decision in the encroachment case, the structure of the petitioner shall not be disturbed.

(Sandeep Kumar, J)

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