

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9063 of 2023

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Anoop Kumar Shrivastava @ Anup Kumar Shrivastava @ Anup Kumar Shrivastava Son of Shambhu Sharan Shrivastava @ Shambhunath Shrivastava, resident of Hajiyapur, Ward No. 26, Police Station-Gopalganj, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Department of Land and Revenue, Government of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Executive Officer, Nagar Parishad, Gopalganj.
4. The Sub-Divisional Officer, Gopalganj.
5. The Circle Officer, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Lokesh Kumar Singh, Advocate
For the State	:	Mr.Md. Khurshid Alam (Aag12)
For Gopalganj Nagar Parishad:		Mr. Rajesh Ranjan No.1, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 09-08-2023

1. Though the present writ petition has been filed for quashing the notice dated 11.03.2023, issued by the Executive Officer, Nagar Parishad, Gopalganj, whereby and whereunder the petitioner has been directed to remove the alleged encroachment made over the public land, however, this Court finds that no opportunity has been granted to the petitioner, before passing the aforesaid order dated 11.03.2023.

2. The learned counsel appearing for the Gopalganj Nagar Parishad submits that the petitioner would definitely be



granted an opportunity to put forth his defence, and then, a final order shall be passed, and till then, no coercive action shall be taken against the petitioner.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present writ petition with liberty to the petitioner to file his objections to the aforesaid notice dated 11.03.2023, within a period of four weeks from today, whereupon the Executive Officer, Nagar Parishad, Gopalganj shall consider the same, in accordance with law and pass a reasoned and a speaking order, within a period of six weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.08.2023
Transmission Date	NA

