

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9596 of 2023

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1. Barkat Miya @ Barakat Hussain Son of Mokhtar Ali @ Mokhtar Miya Resident of Village-Mahuari, PS-Mohamadpur Dist.-Siwan.
 2. Gulab Chandra Prasad @ Gulab Chand Pandit Sonfo Late Deoki Prasad @ Deoki Pandit Resident of Village-Mahuari, PS-Mohamadpur Dist.-Siwan.
 3. Ishak Hussain Son of Late Sher Mohammad Resident of Village-Mahuari, PS-Mohamadpur Dist.-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Collector Cum District Magistrate, District-Siwan.
4. The Circle Officer, Siwan, District-Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-11-2023 Heard the learned counsel for the parties.

2. This application has been filed for direction to the respondents, not to demolish or threat to demolish the double storage building of the petitioner.

3. The Notice dated 03.12.2021 has been passed by the Circle Officer, Siwan Sadar by which the petitioner has been asked to show cause under the Bihar Public Land Encroachment Act 1956.

4. Neither any encroachment case number nor any date for appearance is mentioned in the notice dated 03.12.2021.



5. In these circumstances, the notice dated 03.12.2021 is hereby quashed with liberty to the Circle Office, Siwan, Sadar to issue a fresh notice in accordance with law.

6. The Circle Officer, Siwan Sadar is directed not to act in such a casual manner in encroachment proceedings.

7. With the aforesaid observation and direction, this application is disposed of.

8. Let a copy of this order be communicated to the District Magistrate, Siwan through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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