

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3917 of 2014

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Ram Balak Das, S/o Banarasi Das, R/o village-Musachak, P.S.-
S.Kamal, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Collector, Begusarai.
3. The Circle Officer, S.Kamal, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate
Mr.Sanjeev Saran, Advocate
For the Respondent/s : Mr.Sarvesh Kr. Singh, AAG-13
Mr.Rajat Kr. Tiwary, AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 24-07-2023

1. The present writ petition has been filed
seeking the following reliefs:-

*“1.(i) For quashing notice dated 06.01.2014
was issued under section 51(C) of Bihar
Public Land Encroachment Act 1956 under
signature of Circle Officer, S. Kamal
Begusarai whereby and where under
petitioner was directed to remove the
encroachment from land bearing Thana No.
626, Plot No. 676, Mauza Bakhanda by
27.01.2014. Miscellaneous Case No.02 of
13/14.*

(ii) That for quashing the entire



encroachment proceeding which was pending before Circle Officer, S. Kamal Begusarai regarding land bearing Thana No. 626, Plot No. 676, Mauza Bakhanda.”

2. At the outset, the learned counsel for the respondent-State has submitted that an encroachment case bearing Encroachment Case No.02 of 2013-14, was initiated by the Circle Officer, Sahebpur Kamal, however, it is apparent from the records that no final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, has ever been passed, nonetheless, it is submitted that the same would definitely be passed, after giving opportunity to 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, with regard to the encroachment proceeding in question, before the Circle Officer, Sahebpur Kamal, within a period of six weeks from today, whereupon the Circle Officer, Sahebpur Kamal shall consider the same and pass the final order, within a period of six weeks, thereafter and till then status quo, existing as on today qua the land/house of the petitioner in question shall be maintained.



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

(Mohit Kumar Shah, J)

Saurav/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.08.2023
Transmission Date	NA

