

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10920 of 2023

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Bharat Prasad Yadav @ Bharat Yadav Son of Ramjanak Yadav, Resident of
Village - Parari Lakshiram, P.O. - Tinyay, P.S. - Andar, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, New Secretariat, Jawahar Lal Nehru Marg, Patna.
2. The District Collector-cum-District Magistrate, Siwan.
3. The Circle Officer, Andar, P.O. and P.S. - Andar, District - Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh
For the Respondent/s : Mr.Sajid Salim Khan (Sc 25)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-12-2023 Heard the learned counsel for the parties.

2. This application has been filed for setting aside the notice dated 31.05.2023 passed by the learned Collector under Section 6(2) of Bihar Public Land Encroachment Act, 1956 for removal of illegal encroachment upon land.

3. The Notice dated 31.05.2023 does not mention the encroachment case number and therefore, is incomplete.

4. In these circumstances, this notice dated 31.05.2023 passed by the learned Collector under Section 6(2) of Bihar Public Land Encroachment Act, 1956 against the petitioner is hereby quashed with liberty to the Circle Officer to issue an appropriate notice containing the full particulars of the



encroachment case and order passed.

5. The petitioner is given liberty to challenge the main order passed in the encroachment case in appeal within 30 days from today. In case the appeal is filed, the petitioner's possession shall not be disturbed during the pendency of the appeal.

6. 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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