

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14288 of 2017

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Ganesh Paswan Son of late Dhari Paswan, Resident of Village-Jigina, Post
Office Sirsi, Police Station Chainapur, District Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Kaimur at Bhabua.
3. The Circle Officer, Chainpur, District Kaimur at Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Shrivastava,Adv.
For the Respondent/s : Mr.Rishi Raj Sinha,SC-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 3 08-05-2023 Though the present writ petition has been

filed for quashing the notice dated 30.01.2017,

passed in connection with Encroachment Case No.

26 of 2012-13, issued by the Circle Officer,

Chainpur, whereby and whereunder the petitioner

and others have been directed to remove the

encroachment in question from Plot No.379, Khata

No. 132 and 142, situated at Mauja, Jigina, Thana

No.159 under the District- Kaimur at Bhabua,

however, today a counter affidavit has been filed in

the present case, which has been taken on record,

wherein, it has been admitted that no final order

under Section 6(1) of the Bihar Public Land

Encroachment Act, 1956 (hereinafter referred to as



the 'Act, 1956), has been passed, hence, it is submitted that the petitioner may, if so advised, file his objection/ representation, within a stipulated time frame, which shall be considered by the Circle Officer, Chainpur and then, the final order under Section 6(1) of the Act, 1956, shall be passed.

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 appropriate objection/representation, before the Circle Officer, Chainpur, in connection with Encroachment Case No. 26 of 2012-13, within a period of two weeks from today, whereupon the Circle Officer, Chainpur, shall consider the same and pass the final order under Section 6(1) of the Act, 1956, forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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