

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12493 of 2023

=====

Reeta Devi Wife of Sachidanand Singh, at resident of village - Pachokhar,
Post - Pachokhar, P.S. Andar, District - Siwan (Bihar) Pin Code- 841245
Mobile No. 8576975471, 9910587709.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Land Reforms and Revenue Department Government of Bihar, at Patna.
2. The District Magistrate, at District - Siwan (Bihar).
3. The Circle Officer (C.O.) at Circle Officer at Andar Block, District - Siwan (Bihar)
4. Sri Ram Singh, Son of Late Ramashish Singh, at resident of village- Pachokhar, P.O. Pachokhar, P.S. Andar, District - Siwan (Bihar).

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Dilip Kumar, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha , SC-19

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-12-2023 Heard the parties.

2. A copy of the counter affidavit has been served upon the learned counsel for the petitioner.

3. It has been submitted by the learned counsel for the State that the notice dated 20.07.2023 is a notice issued under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act'). The notice does not mention any details about the proceeding initiated under the Act and therefore on the basis of this notice, the house of the petitioner cannot be demolished.

4. The Circle Officer, Andar Block, District-Siwan is



given liberty to initiate an encroachment case and proceed against the alleged encroachers in accordance with law. The same shall be decided within six months from the date of fresh notice.

5. The notice dated 20.07.2023 under challenge is hereby quashed.

6. The application stands allowed.

7. Let a copy of this order be communicated to the District Magistrate, Siwan for its compliance through FAX or e-mail forthwith.

(Sandeep Kumar, J)

P. Kumar

U			
---	--	--	--

