

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14893 of 2022

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Lokesh Nath son of Sri Baijnath Prasad, Resident of Kamangar Gali, Kasera Toli, Khajekalan, Patna City, P.S.- Khajekalan, P.O.- Jhauganj, District- Patna, Bihar, Pin-800008.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The District Magistrate, Saran.
5. The Circle Officer, Patna, District- Patna.
6. The Circle Officer, Sonapur, District- Patna.
7. The SDO, Patna City, District- Patna.
8. DCLR, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Ojha, Advocate
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-05-2023 The present writ petition has been filed seeking the following reliefs:-

"That the present writ petition is being filed for issuance of appropriate writ/writs directing the respondent authorities to get the property under dispute demarcated, after demarcation and scrutiny of the document/ documents produced by the petitioner and upon the said scrutiny if all the documents are found in order not to disturb the peaceful possession of the petitioner in connection with the land in dispute.



a) For a further direction to the respondent authorities not to take any coercive steps against the petitioner till the property in dispute is demarcated and the documents pertaining to title over the land in dispute produced by the petitioner are examined.

b) For a direction to the respondent authorities to produce all the records pertaining to the land under dispute so as to facilitate proper adjudication of the case in the fact and circumstances articulated herein after."

At the outset, the learned counsel for the petitioner submits that the petitioner has already filed his objection before the Circle Officer, Patna Sadar, Patna, in connection with Encroachment Case No.58 of 2021-22, however, he shall be filing supplementary objection/representation, within a period of two weeks from today, hence the Circle Officer, Patna Sadar, Patna, be directed to consider the same and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 and till then, some protection be granted to the petitioner.

The learned counsel for the respondent-State has got no objection to the aforesaid proposal suggested by the learned counsel for the petitioner.

Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to



file supplementary objection/representation, within a period of two weeks from today and in case such objections are filed, in connection with Encroachment Case No.58 of 2021-22, the Circle Officer, Patna Sadar, Patna shall consider the same and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, forthwith and till then status quo, existing as on today qua the land of the petitioner in question, shall be maintained.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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