

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16411 of 2013

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Naimuddin Son Of Late Qayamat Mian, resident Of Village - Bhagwanpur
Tole Mohammadpur Raj, Police Station Baruraj, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Muzaffarpur
2. The Anchal Adhikari, Motihari, Muzaffarpur
3. The Thana Incharge, Baruraj, Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Syed Firoz Raza, Advocate
For the Respondent/s : Mr. Anirban Kundu, SC 24

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-02-2023 Though the present writ petition was filed for quashing the notices dated 27.06.2013 and 26.07.2013 issued by the Circle Officer, Motipur, Muzaffarpur directing the petitioner to remove the encroachment in question from the land appertaining to Thana No.198, Khesra No. 3583, situated at Mohammadpur-Bhagwanpur, Circle- Motipur, District- Muzaffarpur, however, it has been pointed out that encroachment proceedings have not yet been taken to its logical conclusion till date, in view of the order dated 03.05.2017 passed earlier granting status-quo with respect to the land in question, hence appropriate directions be issued to the Circle Officer, Motipur to pass final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred



to as 'the Act'), after considering the show cause reply to be filed by the petitioner within four weeks from today.

Accordingly, the present writ petition stands disposed off with liberty to the petitioner to file appropriate show cause reply within a period of four weeks from today, before the Circle Officer, Motipur, Muzaffarpur whereupon the Circle Officer, Motipur shall pass the final order under Section 6(1) of the Act, 1956 if not already passed, and till the passing of the final order under Section 6(1) of the Act, 1956 status-quo, existing as on today qua the land/house of the petitioner in question, shall be maintained.

(Mohit Kumar Shah, J)

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