

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23 of 2023

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Sharda Devi Wife of Bachcha Prasad, Resident of Mohalla-Ward No. 9,
Narkatiyaganj, P.O.-Narkatiyaganj, P.S.-Narkatiyaganj, District-West
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. The District Magistrate-cum-Collector, West Champaran at Bettiah.
3. The Additional Collector, Narkatiyaganj, District-West Champaran at Bettiah.
4. The Sub Divisional Officer, Narkatiyaganj, District-West Champaran at Bettiah.
5. The Deputy Collector Land Reforms, Narkatiyaganj, District-West Champaran at Bettiah.
6. The Circle Officer, Narkatiyaganj Block, District-West Champaran at Bettiah.
7. Panna Lal Sharma, Son of Bharat Sharma, Resident of Village-Dhaminaha, P.O.-Musahara, P.S. Sathi, District-West Champaran at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv.
For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-07-2023 The present writ petition has been filed seeking the
following relief:-

*“1.(i) For issuance of the writ in nature of the
certiorari for quashing the order dated 02.01.2012
passed by Anchaladhikari Narkatiyaganj in
Encroachment Case No. 16/2008-09 by which held
that the petitioner have been encroached the land
situated in the ward No.23, Khata No.89, Khesra
No.458 in the said very land having 8 feet wide left
for the road, same has been encroached by the
petitioner and others without notice or without*



giving any opportunity to petitioner.

(ii) For direction to respondents to measure the land petitioner situated in the ward No.23, Khata No.89, Khesra No.458 in presence of the petitioner and also measure, which area/ portion, petitioner has been encroached, if not pay the compensation part of the demolished area.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the final order passed by the Circle Officer, Narkatiyaganj Block, District-West Champaran, in connection with Encroachment Case No.16 of 2008-09, by filing appropriate appeal. Liberty so sought is granted.

It is needless to state that in case appropriate appeal is filed, within a period of four weeks from today, the same shall be heard on merits by the Appellate Authority, without being impeded by the issue of limitation and a reasoned and a speaking order shall be passed thereon, in accordance with law, forthwith.

The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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