

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1332 of 2023

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Shri Shyam Kishore Roy Son of Late Jagdev Roy Resident of Village-
Chanauraganj, P.S.- Jhankharpur, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Madhubani.
2. The District Collector, Madhubani.
3. The Sub- Divisional Magistrate, Jhanjharpur.
4. The Land Reform and Development Officer, Madhubani.
5. The Circle Officer, Jhanjharpur.
6. Shri Arbind Jha, Son of Shri Harish Chandra Jha Resident of Village and P.O.- Gaura, P.S.- Teghra, District- Begusarai, at present Resident of Village and P.O.- Chanauragoth, P.S.- Jhanjharpur, District- Madhubani (Mahanth of Shri Radha Krishna Thakurbari, Chanauraganj, Jhanjharpur, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dudh Nath Singh, Adv.
For the Respondent/s : Mr.Sajid Salim Khan (SC- 25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-09-2023 1. The present writ petition has been filed seeking the
following relief(s):-

“1.i) For issuance of direction/ directions or order/ orders or writ/ writs particularly in the nature of certiorari for quashing the notice dated 12.12.2022 issued under the signature of Circle Officer, Jhanjharpur, Madhubani in connection with Encroachment Case No. 12/2022-23 by which after holding encroacher to this petitioner upon notice land sought explanation in respect of removal of encroachment beyond jurisdiction and non application of mind.



ii) For issuance of direction, or order or an appropriate writ for restraining the respondent to not proceed with the case against the petitioner on account of his title, possession and interest involved in this notice land duly and validly executed agreement for sale (Mahadanama) dated 15.11.2020 and previous Mahadanama.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file objections to the notice, issued under Section 3 of the Bihar Public Land Encroachment Act, 1956, by the Circle Officer, Jhanjharpur, Madhubani, in connection with Encroachment Case No.12 of 2022-23. Liberty so sought is granted.

3. The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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