

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17245 of 2023

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Rajesh Kumar @ Rajesh Sharma son of Late Nawal Kishor Singh @ Late Nawal Singh @ Nawal Sharma, Resident of Village Jaiyatipur, Post Office-Jaiyatipur Kurua, Police Station-Ghosi, District Jahanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reform Department, Government of Bihar, Patna.
2. The District Magistrate cum Collector, Jehanabad.
3. The Superintendent of Police, Jehanabad.
4. The Sub Divisional Officer, Jehanabad, District Jehanabad.
5. The Deputy Collector Land Reform, Jehanabad, District Jehanabad.
6. The Circle Officer, Modanganj Circle, District Jehanabad.
7. Anchal Amin, Modanganj Circle, District Jehanabad.
8. Vijay Sharma, son of Gopal Sharma, Resident of Village Jaiyatipur Dih, Post Office Jaiyatipur Kurua, Police Station-Ghosi, District Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj
For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-12-2023 Heard the parties.

2. This application has been filed on behalf of the petitioner for quashing the notice issued by the respondent No. 6 to the petitioner vide Letter No. 1801 and also for restraining the respondent No. 7 from demolishing the residential house of the petitioner.

3. The petitioner is aggrieved by the final order passed by the Circle Officer, Modanganj, Jehanabad and the petitioner has been issued notice under Section 6(2) of the Bihar



Public Land Encroachment Act, 1956. The order for removal of encroachment has been passed in Encroachment Case No. 11 of 2022.

4. Learned counsel for the petitioner submits that he will approach the District Magistrate, Jehanabad in appeal against the order passed in Encroachment Case No. 11 of 2022. If such an appeal is filed with a stay petition within thirty days from today then the Collector, Jehanabad will pass an order in accordance with law on the stay petition and will hear the petitioner in appeal.

5. For the next thirty days, the petitioner's possession shall not be interfered with.

6. With the aforesaid directions, this application is disposed of.

7. Let a copy of this order be communicated to the District Magistrate, Jehanabad through FAX and e-Mail for its compliance forthwith.

(Sandeep Kumar, J)

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