

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.268 of 2024

Amrendra Kumar Singh @ Munna Singh Son of Late Rameshwar Singh,
Resident of Ward no.- 21, House no.- 67, Near Rowing Club, Bhawanipur
Zirat, P.S.- Chhatauni, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Collector cum District Magistrate, East Champaran at Motihari.
3. The Deputy Collector, Land Reforms, Motihari, East Champaran.
4. The Circle Officer, Motihari, District East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shakti Suman Kumar, Adv.
For the Respondent/s	:	Mr.Additional Advocate General 09 Mr.Anil Kr. Verma, AC to AAG-9

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-07-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.(i) For issuance of a writ in the nature of certiorari for quashing the notice dated 08.12.2023, whereby and whereunder the respondent no.4 has directed the petitioner to remove encroachment made upon khesra no.858 by constructing house/shade/wall upon an area of 3 feet X 20 feet and 2 feet X 50 feet.

(ii) During the pendency of the present writ petition the operation of the impugned notice dated 08/12/2023 may be stayed and the respondents may be restrained from taking any coercive step against the petitioner.”

2. At the outset, the learned counsel for the respondent-



State submits that though an encroachment proceeding vide Encroachment Case No.12 of 2023-24 has been initiated against the petitioner, however the final order is yet to be passed.

3. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file his objections/written statement in the aforesaid Encroachment Case No.12 of 2023-24, before the Circle Officer, Sadar, Motihari, within a period of four weeks from today. Liberty so sought is granted.

4. It is needless to state that in case the petitioner files his objections/written statement, within a period of four weeks from today, before the Circle Officer, Sadar, Motihari, in connection with Encroachment Case No.12 of 2023-24, the Circle Officer, Sadar, Motihari, shall consider the same and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks, thereafter and till then no coercive action shall be taken against the petitioner.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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