

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2334 of 2024

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Bhagwan Dayal Tiwari Son of Late Keshav Tiwari, Resident of 28/32,
Bhadwar (Navadih), Police Station- Bagen Gola, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Buxar.
2. The Sub-Divisional Magistrate, Dumraon, Buxar.
3. The Circle Officer, Block- Brahmapur, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Waliur Rahman, Advocate
For the Respondent/s : Government Pleader (7)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-05-2024 Though the present writ petition has been filed for quashing the encroachment proceedings, initiated vide Encroachment Case No.12 of 2023-24 and Encroachment Case No.19 of 2022-23, however, at the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file his objections, in the aforesaid encroachment proceedings, so that the Circle Officer, Brahmapur, District-Buxar can thereafter, pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, nonetheless seeks some protection during the interregnum period.

2. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file his fresh objections before the Circle Officer,



Brahmapur, District-Buxar, in the aforesaid encroachment proceedings, within a period of three weeks from today, whereupon the Circle Officer, Brahmapur, District-Buxar shall consider the same, in accordance with law and pass the final order, within a period of six weeks, thereafter and till then, status quo existing as on today qua the land/house of the petitioner in question shall be maintained.

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

(Mohit Kumar Shah, J)

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