

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1813 of 2024

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Nand Kumar Singh @ Nandu Singh S/O Late Shiv Pujan Singh R/o Near
Railway Gumati No. 61, Near Rajwara, Bihat Nagar Parishad, Ward No. 2,
Rajoura, Dist-Begusarai-851112.

... .. Petitioner/s

Versus

1. The State of Bihar Through Additional Chief Secretary, Department of
Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Begusarai.
3. The Circle Officer, Barauni, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vikas Kumar Jha
For the Respondent/s	:	Mr.Addl. Advocate General 4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2024 The present writ petition has been filed seeking the
following reliefs:-

“1(i). To issue appropriate writ(s), order(s),
direction(s) in the nature of Certiorari quashing
the notice dated 12.08.2023 issued against the
Petitioner and others in Encroachment Case No.
07/22-23 under Section 3 of the Bihar Public
Land Encroachment Act, 1956 for filing the reply
on 31.08.2023 and entire encroachment
proceeding of Encroachment Case No. 07/22-23
for encroaching land pertaining to Village
Rajwada, Thana- Barauni, District Begusarai,
Thana No. 379, Khesra No. 601 admeasuring
11.340 Decimal on which there is sahan and
asbestos building and Khesra No. 602 on which



in the area of 4.5 Decimal there is sahan, one neem tree and hand pump; in the area 2.0 Decimal there is asbestos house, one motor and a banana plant and on area of 4.25 decimals there is one Shrish and Bel tree.

(ii). To issue appropriate writ(s), order(s), direction(s) in the nature of Certiorari for quashing the encroachment proceedings initiated vide Encroachment Case No. 07/2022-23 initiated against the petitioner by the Circle Officer, Barauni, Begusarai as the facts in disputes in terms of title of the concern land is pending in the court of Ld. Additional & Sessions Judge XII, Begusarai vide T.A. No. 27/2014.”

2. At the outset, the learned counsel for the petitioner submits that the petitioner has already filed an objection before the Respondent No. 3, i.e. the Circle Officer, Barauni, in Encroachment Case No. 7 of 2022-23, hence, he be directed to consider the same and pass final orders under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”).

3. Having regard to the limited prayer made by the learned counsel for the petitioner, I deem it fit and proper to direct the Respondent No. 3 to consider the objection, filed by the petitioner, in case the same has been filed and pass the final



order under Section 6(1) of the Act, 1956, within a period of six weeks of receipt / production of a copy of this order.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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