

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1039 of 2022

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Neeraj Kumar Arora S/o Late Late Subhash Chandra Aroira @ Subhash Chander, Yaarpur Refugee Market, P.S.- Gardanibag, Patna At present House No.-C-7/92, Sector-5, Rohini, P.S.-Rohini, District-North Delhi, New Delhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reforms and Revenue, Bihar, Patna.
2. The Principal Secretary, Department of Land Reforms and Revenue, Bihar, Patna.
3. The District Magistrate, Patna.
4. The Sub Divisional Officer, Patna Sadar, Patna.
5. The Circle Officer Patna Sadar, Patna.
6. The Union of India through the Secretary, Ministry of Home Affairs, Department of Internal Security (Rehabilitation Division), New Delhi
7. The Secretary, Ministry of Home Affairs, Department of Internal Security (Rehabilitation Division), New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Parasmani, Advocate
For the State	:	Mr.Sajid Salim Khan (SC-25)
For the Union of India	:	Mrs. Kanak Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 26-11-2024 Though the present writ petition has been filed for quashing the encroachment proceedings in question initiated by the Circle Officer, Patna Sadar, Patna vide Encroachment Case No. 25 of 2020-21, however, at the outset, the learned counsel for the petitioner submits that the petitioner has already filed his objection before the Circle Officer, Patna Sadar, Patna, which has been annexed as Annexure-7 to the present writ petition, hence the Circle Officer, Patna Sadar, Patna be directed to



consider the same and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956'), in accordance with law and till then some protection be granted to the petitioner.

2. *Per contra*, the learned counsel for the respondent-State submits that the Circle Officer, Patna Sadar, Patna shall definitely consider the objection filed by the petitioner and only then he shall pass the final order under Section 6(1) of the Act, 1956.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Patna Sadar, Patna to consider the aforesaid objection filed by the petitioner, in accordance with law and then pass the final order under Section 6(1) of the Act, 1956, and till then no coercive action shall be taken against the petitioner.

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

(Mohit Kumar Shah, J)

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