

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5799 of 2020**

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Rajpati Chaudhary Son of Late Laddu Lal Choudhary, resident of Village-  
Sanjhouti P.S. Alauli, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Revenue and Land Reform, Bihar, Patna.
2. The Divisional Commissioner, Munger.
3. The District Magistrate, Khagaria.
4. The Superintendent of Police, Khagaria.
5. The Sub Divisional Officer, Civil, Khagaria.
6. The D.C.L.R. Khagaria.
7. The Circle Officer, Alauli Block, District- Khagaria.
8. The Officer Incharge, Alauli, District- Khagaria.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Binay Kumar, Advocate  
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

- 3      11-12-2024                      1. Though the present writ petition has been filed for quashing the notices dated 16.11.2019, 06.12.2019 and 06.01.2020, issued by the Circle Officer, Alauli Block, District- Khagaria, i.e. the respondent no.7, in connection with Encroachment Case No.07 of 2019-20, however, at the outset, the learned counsel for the respondents has submitted by referring to the counter affidavit, filed in the present case that the respondent no.7 has already passed the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as ‘the Act, 1956’) on 14.02.2020, in



connection with Encroachment Case No.07 of 2019-20 and thereafter, the encroachment in question has also been removed, hence the present writ petition has been rendered infructuous. Nonetheless, it is submitted by the learned counsel for the respondent-State that in case the petitioner is aggrieved by the aforesaid order dated 14.02.2020, he may challenge the same by filing an appeal under Section 11 of the Act, 1956.

2. Having regard to the facts and circumstances of the case and considering the aforesaid aspect of the matter, which has not been controverted by the petitioner inasmuch as no rejoinder affidavit has been filed, I deem it fit and proper to grant liberty to the petitioner to challenge the aforesaid final order dated 14.02.2020, passed by the respondent no.7, in case he is so aggrieved, by filing an appeal under Section 11 of the Act, 1956.

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

**(Mohit Kumar Shah, J)**

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