

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1747 of 2024

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Imam Hussain Son of Saheb Hussain R/o Village-Mauza Harpur, PO-Sakhe
Khas, PS-Uchkagaon, Dist.-Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through the District Collector, Gopalganj
2. The District Collector, Gopalganj.
3. The Sub Divisional Officer, Gopalganj.
4. The Circle Officer, Uchkagaon, P.S.-Uchkagaon, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Amir Alam, Adv. Mr. Gautam Kumar Yadav, Adv.
For the State	:	Mr. Alok Ranjan, Adv.
For the Respondent No. 5	:	Mr. Ashok Kumar Mishra, Adv. Mr. Yogendra Tiwari, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 11-11-2024 Though the present writ petition has been filed for quashing the notice dated 18.1.2024, issued by the Circle Officer, Uchkagaon, District-Gopalganj, i.e. the Respondent No. 4, under Section 6(2) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”), in connection with the encroachment case in question, however, at the outset, the learned counsel for the Respondent-State has pointed out that the jamabandi existing in favour of the petitioner, bearing Jamabandi No. 490, has already stood cancelled, thus the petitioner has got no case, whatsoever.

2. Nonetheless, the learned counsel for the petitioner submits that the petitioner has already challenged the order, passed by



the Additional District Magistrate, Gopalganj, in connection with Jamabandi Cancellation Case No. 308 of 2022-23, by filing an appeal bearing Appeal No. 15 of 2024, which is pending adjudication before the learned Court of Collector, Gopalganj, hence, he be directed to dispose off the same within a stipulated time frame and till then, some protection be granted to the petitioner.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the District Magistrate, Gopalganj, to dispose off the aforesaid Jamabandi Cancellation Appeal No. 15 of 2024, by passing a reasoned and a speaking order, in accordance with law, within a period of six weeks from today, in case the same has not already stood disposed off and till then, no coercive action shall be taken against the petitioner.

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

(Mohit Kumar Shah, J)

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