

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3165 of 2020

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Devesh Nath Dikshit S/o Late Ram Bharosa Sharma R/o Mohalla-Prabhunath
Nagar, P.S.-Chapra Muffasil, District-saran, Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Saran, Chapra.
3. The Circle Officer, Saran, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vagisha Pragya Vacaknavi, Advocate
		Mr. Ankita Roy, Advocate
For the State	:	Mr. Navnit Kumar, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

- 3 27-11-2024 Though the present writ petition has been filed for quashing the notice, issued under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”), by the Circle Officer, Sadar Chapra, however, at the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file objection before the Circle Officer, Sadar, Chapra, nonetheless seeks a direction upon the Circle Officer, Sadar Chapra to consider the same and pass the final order, in accordance with law,



under Section 6(1) of the Act, 1956 and till then, it is prayed that some protection be granted to the petitioner.

2. Accordingly, I deem it fit and proper to grant liberty to the petitioner to file his objection before the Circle Officer, Sadar, Chapra in connection with the encroachment proceeding in question, in case the same is still pending, which shall be considered by the Circle Officer, Sadar, Chapra, in accordance with law, and the final order under Section 6(1) of the Act, 1956 shall be passed, forthwith and till then no coercive action shall be taken against the petitioner.

3. It is needless to state that in case no objection is filed by the petitioner before the Circle Officer, Sadar, Chapra, within a period of four weeks from today, the Circle Officer, Sadar, Chapra shall be free to pass the final order under Section 6(1) of the Act, 1956, *ex parte*.

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

(Mohit Kumar Shah, J)

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