

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3927 of 2024

Dr Surendra Prasad Singh Son of Late Bito Mahto @ Late Bitu Prasad Singh
Resident of Village - Manikpur, (Konipar) P.S.- Suraygdha district - Lakhis-
arai, at present residing at Mohalla- Tilkamamjhi, P.S.- Jagdishpur, District-
Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Lakhisarai.
2. The District Magistrate, Lakhisarai.
3. The Sub Divisional Officer, Lakhisarai.
4. The Circle Officer, Surygada, District- Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha
For the State : Mr. Suman Kumar Jha, A.C. to A.A.G.-3

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 18-03-2024 Heard the parties.

2. The petitioner is aggrieved by the Notice dated 03.01.2024 issued by the Circle Officer, Suryagada by which the petitioner is found to have encroached 440 sq. ft. of land in Khata No. 235 Plot No. 629.

3. Learned counsel for the petitioner submits that his case has not been properly considered by the Circle Officer, Suryagada, Lakhisarai.

4. The Circle Officer, Suryagada, has appeared along with the records of the case.

5. After issuance of this notice, a fresh measurement was made in presence of the petitioner pursuant to the request of



the petitioner and in that also encroachment has been found. The petitioner submits that he has not been heard before the encroachment proceeding was decided.

6. This application is disposed of with a direction to the Circle Officer, Suryagada, Lakhisarai to hear the petitioner again, consider the case of the petitioner and pass a reasoned order after hearing the parties.

7. If any encroachment is again found by the Circle Officer, Suryagada, the petitioner will be given thirty days time to approach the Appellate Court and if no stay order is brought by the petitioner within thirty days as prescribed under law then the Circle Officer, Suryagada will proceed with the demolition in accordance with law.

(Sandeep Kumar, J)

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