

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.777 of 2024

In

Civil Writ Jurisdiction Case No.12832 of 2022

Parmanand Rai S/o-Dayali Rai Resident of Village and Kathariya, P.S.-
Kalyanpur, District - East Champaran (Motihari), at Present Mohalla - B/89
Biscoman Colony, P.O. and P.S. - Guljarbag, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shri Pawan Kumar Sinha, the Regional Deputy Director, East Champaran (Motihari).
3. Shri Saurabh Jorwal, the District Magistrate, East Champaran (Motihari).
4. Shri Raj Kishore Lal, the Additional District Magistrate, East Champaran (Motihari).
5. Shri Radhe Shyam Mishra, the Sub-Divisional Magistrate, Chakiya, East Champaran (Motihari).
6. Shri Ashwani Kumar, the Circle Officer, Kalyanpur, East Champaran, (Motihari).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar, Adv.

For the Opposite Party/s : Mr.Additional Advocate General 12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 04-10-2024

1. The defects pointed out by the Registry is ignored.

2. At the outset, the learned counsel for the opposite parties submits that in compliance of the order of this Court dated 05.05.2023, passed in C.W.J.C. No.12832 of 2022, the Circle Officer, Kalyanpur, District-East Champaran at Motihari, 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 16.12.2022, in connection with



Encroachment Case No.15 of 2015-16, whereafter the encroachers have filed an appeal, bearing Encroachment Appeal No.06 of 2024-25, before the Collector, East Champaran at Motihari, however, in the meantime, notices have also been issued to the encroachers under Section 6(2) of the Act, 1956, to remove the encroachment in question.

3. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Kalyanpur, District-East Champaran at Motihari, for taking needful action in the matter. Liberty so sought is granted.

4. Accordingly, the present petition stands disposed off.

(Mohit Kumar Shah, J)

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