

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4908 of 2022

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Mahendra Singh Son of Late Sita Ram Singh, resident of Village Kakoda
Naya Nagar, P.S. Sakatpur, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Department of Land Reform, Government of Bihar, Patna.
2. The District Magistrate, Darbhanga.
3. The Land Reforms Officer, Darbhanga.
4. The Land Acquisition Officer, Darbhanga.
5. The Circle Office Taradih Anchal, District Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhinav Alok, Advocate Mr. M.R. Kumar, Advocate Ms. Mehga, Advocate Mr. Kaushlesh Kumar, Advocate
For the Respondent/s	:	Mr.Md.Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 29-10-2024 Though the present writ petition has been filed for directing the District Magistrate, Darbhanga and the Circle Officer, Taradih to stay the construction of road over the land, appertaining to Old Khata No.256, Khesra No.6 (Old), Khesra No.17, situated at Mauza- Kakodha, Circle- Taradih, District- Darbhanga, however, at the outset, the learned counsel for the petitioner submits that the petitioner be granted liberty to file his



objections in the pending Encroachment Case No.07 of 2020-21, before the Circle Officer, Taradih, who be directed to consider the same and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956.

2. The learned counsel for the respondent-State submits that in case the aforesaid encroachment proceedings are still pending, the same would definitely be disposed off, within a stipulated time, as is fixed by this Court.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file his written submission/objection before the Circle Officer, Taradih, in the aforesaid Encroachment Case No.07 of 2020-21, within a period of four weeks from today, which shall be considered by the Circle Officer, Taradih, Darbhanga and thereafter, the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 shall be passed, in accordance with law, forthwith.

4. It is needless to state that in case no written submission/objection is filed by the petitioner, within a period of four weeks from today, the Circle Officer, Taradih, shall be at liberty to pass the final order, under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, ex parte.



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

(Mohit Kumar Shah, J)

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