

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5355 of 2020

Karim Khan S/O Rajak Khan, R/O village - Sathi Briti Tola, P.O. and P.S. -
Sathi, Ward No. 12, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Old Secretariat, Bailey Road, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Old Secretariat, Bailey Road, Patna.
3. The Collector-cum-District Magistrate, West Champaran.
4. The Circle Officer, Lauria, West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vagisha Pragya Vacaknavi, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-12-2024 The present writ petition has been filed seeking quashing of the notice issued by the Circle Officer, Lauria, West Champaran, i.e. the respondent no.4, under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as 'the Act, 1956'), in connection with Encroachment Case No.25 of 2019-2020, whereby and whereunder, the petitioner has been asked to submit his explanation as to why the encroachment in question be not removed.

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent no.4 by filing his objections, however, seeks some



protection during the interregnum period.

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 objections before the respondent no.4, in the aforesaid Encroachment Case No.25 of 2019-2020, within a period of four weeks from today, whereupon the respondent no.4 shall consider the same in accordance with law and pass the final order under Section 6(1) of the Act, 1956, in case the same has not yet been passed and till then no coercive action shall be taken against the petitioner.

4. It is needless to state that in case no objection is filed, before the Circle Officer, Lauria, within a period of four weeks from today, he shall proceed ahead to pass the final order under Section 6(1) of the Act, 1956, *ex parte*.

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

(Mohit Kumar Shah, J)

kanchan/-

U			
---	--	--	--

