

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6184 of 2024

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Ravinandan Sharma Son of Jaichandra Sharma, resident of Ward No. 6
Saratha, Bahlopur, P.S. and District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, East Champaran.
2. The Collector, East Champaran.
3. The Anchal Adhikari, Dhaka, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nand Gopal Mishra, Advocate
For the Respondent/s : Standing Counsel (23)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-07-2024 The present writ petition has been filed
for the following relief:

“(i) To quash the notices issued to the petitioner by the Anchal Adhikari Dhaka East Champaran as warning notice in Encroachment Case No. 12/21-22 directing him to vacate the alleged encroachment before the date given in the notice in respect of alleged encroachment upon the land pertaining to following descriptions.

\Mauja Thana No Khata no Khesra no Area
Saratha 90 04 798/1 1 Decimals
Saratha 90 05 784/3 3 Decimals

II. For issuance of an appropriate writ/order/direction restraining the respondents from taking any coercive action



to remove the alleged encroachment of the land of khesra no.798 upon which petitioners dwelling house is situated."

2. At the outset, the learned counsel for the petitioner submits that though the petitioner has filed his objection on 14.10.2022, before the Circle Officer, Dhaka, East Champaran in Encroachment Case No. 12 of 2021-22, however, the same has not yet been considered by the Circle Officer, hence, he be directed to consider the same and pass appropriate order, within a fix time frame.

3. The learned counsel for the respondent-State submits that in case the objection has been filed by the petitioner before the Circle Officer, Dhaka, East Champaran, he shall definitely consider the same and pass appropriate order, expeditiously.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Circle Officer, Dhaka, East Champaran to consider the aforesaid objection, filed by the petitioner, which has been annexed as Annexure P-6 to the present petition and pass the final order under the



provisions of the Bihar Public Land Encroachment Act, 1956, within a period of six weeks from today and till then no coercive action shall be taken against the petitioner.

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

(Mohit Kumar Shah, J)

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