

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5968 of 2024

=====

Harendra Yadav S/o Late Hira Yadav Resident of Village- Rampur Madho,
P.S.- Kuchaikote, Dist- Gopalganj, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Govt. of Bihar, Patna.
2. The Collector Cum District Magistrate, Gopalganj.
3. S.D.O. Gopalganj.
4. Circle Officer Kuchaikote.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Kumar Harshvardhan, Adv. Mr. Sudhanshu Prakash, Adv.
For the Respondent/s	:	Mr.Standing Counsel 22

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

“1. That this application for issuance of appropriate writ / writs in the nature of Certiorari for Quashing the order dated 13-03- 2024 Passed by Circle Officer, Kuchaikote, Gopalganj, Bihar , in Encroachment case No- 33/22-23.”

2. At the outset, the learned counsel for the petitioner submits that notice dated 13.3.2024 has been issued to the petitioner by the Respondent No. 4 i.e. the Circle Officer, Kuchaikote, Distict-Gopalganj, without granting him any opportunity to file objections, hence, the petitioner be permitted to approach the Respondent No. 4 for the purposes of filing



objections, whereafter the Respondent No. 4 may consider the same & pass appropriate orders, in accordance with law.

3. Per contra, the learned counsel for the Respondent-State submits that in case, appropriate objection is filed by the petitioner within a period of two weeks from today, the same shall definitely be considered by the Respondent No. 4 and the final order shall be passed thereon, forthwith.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file appropriate objection before the Respondent No. 4, within a period of two weeks from today and in case, such an objection is filed, the Respondent No. 4 shall consider the same and pass the final order under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks, thereafter.

5. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

