

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10201 of 2016

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Ram Pravesh Singh Son of Late Sabhapati Singh Resident of Village - Aami,
P.S. - Dighwara, District - Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Land Reforms, Govt. of Bihar, Patna.
3. The Collector, Saran Chapra.
4. The Deputy Collector Land Reforms, Saran Chapra.
5. The Circle Officer, Dighwara, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajendra Narayan Singh, Adv. Ms. Suchitra Singh, Adv. Mr. Madan Mohan, Adv.
For the Respondent/s	:	Mr. J.K.Roy, SC-13 Mr. Bijay Bhushan Prasad, AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 03-10-2024 Though the present writ petition has been filed for quashing the notice dated 12.1.2016, issued by the Circle Officer, Dighwara, asking the petitioner to show cause as to why the alleged encroachment made over the land, appertaining to Khesra No. 1110, area 6 decimal, situated at village Aami, P.S. Dighwara, District-Saran, be not removed, however, the learned counsel for the petitioner submits that the said notice has been issued to the petitioner, without initiating any proceeding under the provisions of the Bihar Public Land Encroachment Act, 1956, thus, the same is required to be set aside.

2. This Court finds that despite several opportunities having



been granted to the Respondents, no counter affidavit has been filed, hence, impliedly, it shows that the Respondents do not have anything to say in the matter. In such view of the matter, I deem it fit and proper to quash the notice dated 12.1.2016, issued by the Circle Officer, Dighwara, while reserving liberty to the Respondents, more particularly to the Circle Officer, Dighwara, to initiate appropriate proceedings, if so warranted, under the provisions of the Bihar Public Land Encroachment Act, 1956 and proceed afresh against the petitioner, by taking recourse to the due process of law.

3 The writ petition stands allowed to the aforesaid extent.

(Mohit Kumar Shah, J)

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