

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7762 of 2023

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Jai Kumar Jha S/o Late Deokant Jha Resident of Village- Akaur, Ward No.7,
P.S.- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Sub-Divisional Officer, Benipatti, Madhubani.
4. The Anchaladhikari, Benipatti, Madhubani.
5. The Mukhiya, Gram Panchayat Raj, Akaur, P.S. Benipatti, District-
Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (SC-25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-07-2024 The present writ petition has been filed
seeking the following reliefs:-

"1. I. For quashing of an office order issued by the Anchaladhikari, Benipatti vide Memo No.654 dated 05.04.2023, contained in Annexure-3 to this application, whereby and whereunder the Officer in-charge, Benipatti has been directed to stop any construction work, going over plot no. 2380 of Mauza- Akaur, P.S.-Benipatti, within the district of Madhubani.

II. For quashing of an office order dated 12.04.2023, issued under



Section-3 of the Bihar Public Land Encroachment Act, 1956, whereby and whereunder the petitioner has been asked to appear before him on 20.04.2023 with a show cause as to why they should not be held responsible for making encroachment over a plot no. 2379 (0)/2167 (N) of Mauza- Akaur.

III. For a direction to the Respondent State to stay the implication of both the impugned orders as well as any subsequent step in this regard during pendency of instant writ application."

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file his objection/representation to the notice dated 12.04.2023, issued by the Circle Officer, Benipatti, District-Madhubani under Section 3 of the Bihar Public Land Encroachment Act, 1956. Liberty, so sought, is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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