

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12499 of 2019

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Mantu Bajpayee Son of Ram Narayan Bajpayee R/V Chauhandih, P.O.-
Bhaunr, P.S.-Khaira, District-Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Land and Revenue Department, Govt. of Bihar,
Patna
3. The District Magistrate Jamui
4. The Circle Officer Khaira, Dist-Jamui

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Adv.
For the Respondent/s : Mr.Subash Chandra Yadav (Gp15)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-11-2024 Though the present writ petition has been filed
challenging the notices dated 27.4.2019, 1.2.2019 and
15.4.2019, issued by the Circle Officer, Khaira, District-Jamui,
i.e. the Respondent No. 4, in connection with Encroachment
Case No. 4 of 2018-19, however, the learned counsel for the
Respondent-State has submitted that the aforesaid notices are
merely show cause notices and in fact, the final order, under
Section 6(1) of the Bihar Public Land Encroachment Act, 1956
(hereinafter referred to as “the Act, 1956”), has not yet been
passed, hence, the present writ petition is premature.

2. The learned counsel for the petitioner submits that the
petitioner has already filed his objection before the Respondent



No. 4 on 16.2.2019, which is annexed as Annexure-4 series to the present writ petition, hence, the Respondent No. 4 be directed to consider the same, in accordance with law and pass the final order, under Section 6(1) of the Act, 1956, in connection with Encroachment Case No. 4 of 2018-19.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Respondent No. 4 to consider the aforesaid objection filed by the petitioner and pass the final order, under Section 6(1) of the Act, 1956, in accordance with law, within a period of six weeks of receipt / production of a copy of this order.

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

(Mohit Kumar Shah, J)

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