

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10340 of 2023

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Ranjita Devi W/o Subhash Sharma R/v- Sadal Pur, P.S.- Asawan District-
Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Collector, Siwan.
3. The Circle Office, Andar, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishore Prasad
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 11-01-2024 Heard the parties.

2. The notice dated 20.01.2023 which has been issued by the Circle Officer, Andar, Siwan by which the petitioner has been declared to be encroacher and the same can be challenged by the petitioner in appeal. The petitioner has also challenged the order dated 21.04.2018 passed in Jamabandi Cancellation Case No. 55/2015-16 which can also be challenged before the District Magistrate, Siwan.

3. In these circumstances, this application is disposed of with a liberty to the petitioner to challenge the notice dated 20.01.2023 in appeal before the District Magistrate, Siwan and also with a liberty to the petitioner to challenge the order dated 21.04.2018 passed in Jamabandi Cancellation Case No.



55/2015-16 before the District Magistrate, Siwan within a month from today.

4. If such appeals are filed by the petitioner then the appeals shall be decided by the District Magistrate, Siwan on merits. The encroachment appeal should be accompanied with a stay petition.

5. For the next thirty days, the alleged encroachment shall not be removed.

6. With the aforesaid directions, this application is disposed of.

(Sandeep Kumar, J)

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