

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9738 of 2020

Vinay Kumar S/o Mohar Prasad, Resident of Ward No. 04, Pakri Dayal, P.S.-
Pakri Dayal, Motihari, District - East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary Bihar.
2. The District Magistrate, Motihari (East Champaran).
3. The Circle Officer, Pakri Dayal, Motihari (East Champaran).
4. Land Acquisition Officer, Motihari (East Champaran).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Nath Rai, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 30-10-2024 Though the present writ petition has been filed not to disturb the petitioner from the land in question in pursuance to initiation of encroachment proceedings by the Circle Officer, Pakri Dayal, East Champaran, in connection with Encroachment Case No.03 of 2020-21, however, at the outset, the learned counsel for the respondent-State has submitted, by referring to the counter affidavit filed in the present case, that the Circle Officer, Pakri Dayal has already conducted measurement and re-measurement in presence of the petitioner, whereafter the encroachment in question has already stood removed in presence of the petitioner and the petitioner is also satisfied with the same, nonetheless, the Circle Officer, Pakri



Dayal has also passed the final under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 on 05.01.2021, in connection with Encroachment Case No.03 of 2020-21, hence in case the petitioner is aggrieved, he can file an appeal under Section 11 of the Bihar Public Land Encroachment Act, 1956.

2. Having regard to the facts and circumstances, though I deem it fit and proper to dispose off the present writ petition, however, with liberty to the petitioner to file appropriate appeal against the aforesaid final order dated 05.01.2021, passed by the Circle Officer, Pakri Dayal, in connection with Encroachment Case No.03 of 2020-21, if so advised.

(Mohit Kumar Shah, J)

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