

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2590 of 2016

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Sureshwar Sharan Sinha Son of Fuleshwari Saran Sinha, Resident of Village -
Baghda, P.O. and P.S. - Siwan, District - Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Land Revenue Department, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Commissioner, Chapra Division, Saran.
4. The District Magistrate, Siwan.
5. The Sub - Divisional Officer, Siwan.
6. The Deputy Collector Land Reform, Siwan.
7. Circle Officer, Sadar Siwan, Siwan.
8. Dilip Kumar Yadav S/o Shri Rama Jee Yadav Resident of Village- Baghda, P.S. Siwan Mufasil, Distt- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar, Adv. Mr. Kanishka Kaustobh, Adv. Mr. Shikharmani, Adv. Ms. Lakshmi Kumari, Adv. Mr. Rajnish Prakash, Adv. Mr. Kundan Kumar, Adv.
For the State	:	Mr. Sanjeet Kumar Singh, AC to AAG-6

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-09-2024 Though the present writ petition was filed for quashing the notice, issued by the Circle Officer, Siwan Sadar, Siwan, under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as “the Act, 1956”), however, it is informed by the Ld. Counsel for the petitioner that during the pendency of the present writ petition, the Circle Officer, Siwan Sadar, Siwan, has passed the final order under Section



6(1) of the Act, 1956, nonetheless, the fact remains that Jamabandi No. 339 is running in the name of the deceased father of the petitioner, namely, late Fuleshwari Saran Sinha, hence the petitioner had approached the Respondent-authorities to demonstrate that during the subsistence of jamabandi, no encroachment proceedings would be maintainable, till the time, the same is cancelled.

2. It is further submitted by the learned counsel for the petitioner that now the Respondents have issued acquisition notice and it appears that the Respondents are contemplating paying compensation to the petitioner in lieu of acquisition of his land, hence, he is not having any apprehension at the moment of being dispossessed from his land, thus, it is submitted that the present writ petition be disposed off, while reserving liberty to the petitioner to approach this Court in case any adverse order is passed against him by the Respondents.

3. Accordingly, the present writ petition stands disposed off, while granting liberty to the petitioner to take recourse to the due process of law, in case any cause of action so arises, henceforth.

(Mohit Kumar Shah, J)

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