

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10919 of 2024

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Sumant Kumar @ Chunnu Singh Son of Late Sudhir Singh, Resident of
Village-Akhtiyarpur, P.O. and P.S.-Paliganj, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary Land Reforms Department, Govt. of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Block Development Officer, Block-Paliganj, District-Patna.
5. The Circle Officer, Paliganj, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prakritita Sharma, Advocate
For the Respondent/s : Mr.Government Advocate 9

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 10-09-2024 The present writ petition has been filed
seeking the following reliefs:-

“1. i. To quash the notice dated 08.07.2024 received on 18.07.2024 (Annexure-2) issued by the Circle Officer, Paliganj, District-Patna which has been issued in most arbitrary manner, without following the due procedure of law and without initiating any encroachment proceeding against the petitioner, directing the petitioner to remove the encroachment by 22.07.2024, else the area alleged to be encroached shall be demolished on



23.07.2024 with the help of Magistrate and Police force.

ii. To restrain the respondents from taking any step for demolition of the house of the petitioner situated over a portion of land appertaining to Khata No. 337, Khesra No. 228, Area 1.875 decimal, which has been purchased by the father of the petitioner through a registered sale deed.

iii. To grant leave to add, amend, modify or otherwise vary the grounds in support of this writ."

2. At the outset, the learned counsel for the respondent-State submits that since the order passed by the Circle Officer, Paliganj, District-Patna in connection with Encroachment Case No. 2 of 2017-18 was cryptic, the same has been set aside and in case the respondents decide to initiate fresh encroachment proceedings qua the petitioner, fresh notice under Section 3 of the Bihar Public Land Encroachment Act, 1956, shall be issued to the petitioner, seeking his objections, before taking any coercive action against him. It is directed accordingly.

3. The learned counsel for the petitioner



submits that if it be so, the present writ petition be disposed off.

4. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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