

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12425 of 2024

=====

Lalan Singh Son of Somar Singh, Resident of Village- Kirtipur, Police Station- Parwalpur, District- Nalanda at Biharsharif.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Divisional Commissioner, Bihar, Patna.
3. The District Magistrate, Nalanda at Biharsharif.
4. The Sub- Divisional Magistrate, Nalanda at Biharsharif.
5. The Circle Officer, Parwalpur, Nalanda at Biharsharif.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Mr.Government Pleader 19

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 4 08-10-2024 1. The short issue, raised by the petitioner, in the present case is that the District Magistrate, Nalanda at Biharsharif, vide order dated 23.12.2022, has dismissed the encroachment appeal, filed by the petitioner, bearing Encroachment Case No.04 of 2019, on account of non-appearance of the petitioner since 7 years, nonetheless, the learned counsel for the petitioner submits that the petitioner could not appear before the District Magistrate, Nalanda at Biharsharif, on account of the ongoing Covid-19 pandemic, however, he submits that a date be fixed so that the petitioner can appear and advance his arguments.
2. Per contra, the learned counsel for the respondent-



State submits that in case this Court fixes a date, the petitioner would definitely be heard and a reasoned and a speaking order, in accordance with law, shall be passed by the District Magistrate, Nalanda at Bihar Sharif.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to appear before the District Magistrate, Nalanda at Bihar Sharif on 30th October, 2024 at 4 P.M., for the purposes of advancing his arguments, in the aforesaid appeal, if he so desires, whereupon the District Magistrate, Nalanda at Bihar Sharif shall pass a reasoned and a speaking order, thereon, in accordance with law, within a period of six weeks, thereafter.

4. It is needless to state that in case the petitioner fails to appear on 30th October, 2024 at 4 P.M., the District Magistrate, Nalanda at Bihar Sharif shall proceed to pass ex-parte order, however, on merits of the case.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Saurav/-

U			
---	--	--	--

