

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13528 of 2023

Dayanand Anglo Vaidic Public School, Daudnagar, Aurangabad through, the Principal Rajeev Ranjan (Male), aged about 50 years, son of late Naresh Lal, at present working as Principal DAV Public School, Daudnagar, P.S. - Daudnagar, District -Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar (through the Collector Aurangabad).
2. The Additional Collector, Aurangabad.
3. Sub-Divisional Magistrate, Daudnagar.
4. The Circle Officer, Daudnagar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (AAG- 12)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 25-06-2024 The present writ petition has been filed
seeking the following relief:-

"1. That this is an application for issuance of a writ in the nature of Certiorari for quashing the notice dated 16.08.2023 as contained in Annexure-5 issued under the signature of respondent no. 4 in Encroachment Case No. 1/2023-24 whereby and whereunder the petitioner has been directed to furnish his show cause on 26.08.2023 in the office of respondent no. 4 as to why not an order be passed for encroachment of land situated in Thana No. 74, Khata No. 262, Plot No. 1391 measuring an area of 15.3 decimal and for further direction upon the respondent authorities to measure the land in presence of the petitioner



as the petitioner is valid purchaser of 2.53 acre of land and there is no actual encroachment by the petitioner. Without any actual measurement on the basis of a frivolous complaint, this notice has been issued."

2. At the outset, the learned counsel for the petitioner submits that the petitioner be granted liberty to appear before the Circle Officer, Daudnagar, District-Aurangabad, and file its objections to the notice dated 16.08.2023 in connection with Encroachment Case No. 1 of 2023-24 and the Circle Officer, Daudnagar, Aurangabad be then directed to consider the said objection and pass the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956, forthwith and till then some protection be granted to the petitioner. It is directed accordingly.
3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

