

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7651 of 2015

Binod Kumar Singh Son of Late Anileshwari Prasad Singh Resident of
Village- Dubba, P.S. and Anchal Belhar, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Principal Secretary Land and Revenue Department, Govt. of Bihar, Patna.
3. District Magistrate,-cum- Collector, Banka.
4. Sub- Divisional Officer, Banka.
5. Anchal Adhikari, Belhar P.S. and Anchal Belhar District- Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Respondent/s : Mr. Jitendra Kumar, A.C. to Ex. AAG-11

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 12-09-2024 The present writ petition has been filed
seeking the following relief:-

“1. A) To issue a writ of Mandamus or any other writ or writs, direction or directions commanding upon the respondents not to demolish the residential double storied pucca house and Kancha house of the petitioner standing over plot no. 155, 160 and 161, situated at village-Dubba, thana no. 61, P.S. and Anchal-Belhar, District-Banka, described in the later para of this writ petition, without initiating any land encroachment proceeding in respect of the said land.”



2. It is the contention of the respondent-State that though encroachment proceedings have been initiated vide Encroachment Case No. 2 of 2011-12 by the Circle Officer, Belhar, District-Banka, however, no final order has been passed under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956'), hence the petitioner be directed to file his objections within a period of two weeks from today, whereupon the Circle Officer, Belhar shall pass the final order under Section 6(1) of the Act, 1956, forthwith, and till then no coercive action shall be taken against the petitioner. It is directed accordingly.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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