

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13525 of 2024

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Ranjit Yadav S/o Kailash Yadav Resident of Village- Utali Bara, P.S.-
Tankuppa, District- Gaya, (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Land and Revenue Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Land and Revenue, Government of Bihar, Patna.
3. The District Magistrate, Gaya, Government of Bihar.
4. The Block Development Officer, Gaya, Government of Bihar.
5. The Circle Officer, Kantuppa, Gaya, Government of Bihar.
6. The Senior Superintendent of Police, Gaya, Government of Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arya Achint, Advocate
For the Respondent/s : Government Pleader 07

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 18-11-2024 Though the present writ petition has been filed for quashing the order dated 16.03.2023, issued by the Circle Officer, Tankuppa, Gaya, i.e. the respondent no.5, as also for restraining the respondents from demolishing the house of the petitioner, however, at the outset, the learned counsel for the respondent-State has submitted by referring to the counter affidavit filed in the present case that the Circle Officer, Tankuppa, Gaya has already passed the final order under Section 6(1) of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the 'Act, 1956') on 31.01.2023, in



connection with Encroachment Case No.10 of 2022-23, hence in case the petitioner is so aggrieved, he may file appropriate appeal under Section 11 of the Act, 1956.

2. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file appropriate appeal, challenging the aforesaid order dated 31.01.2023, in case he so desires, which shall be considered on its own merits and in accordance with law.

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

(Mohit Kumar Shah, J)

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