

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14030 of 2023

Yadav Lal Patel @ Yadav Lal Rai, Son of late Yogendra Patel @ Yogendra Prasad Rai, Resident of village -Isha Chhapra, Post Office- Bangra Nijamat, Police Station - Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector-cum-District Magistrate, Muzaffarpur.
2. The Deputy Development Commissioner-Cum-Joint Director, Consolidation, District- Muzaffarpur.
3. The Addl. Collector, Legal Cell, District- Muzaffarpur.
4. The Sub-Divisional Officer, Sub-Division Muzaffarpur West, District- Muzaffarpur.
5. The Deputy Collector, Land Reforms, Muzaffarpur West, District- Muzaffarpur.
6. The Circle Officer, Sahebganj, Muzaffarpur.
7. The Circle Inspector Cum Halka Karmchari, (Local Revenue Worker), Circle- Sahebganj, District- Muzaffarpur.
8. Bharat Prasad Sah @ Bharat Sah, Son of late Lalji Sah, Resident of village Halimpur Depghara, P.O.- Bangra Nizamat, Circle and Block and Police Station - Sahebganj, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate
For the Respondent/s : Mr. Sajid Salim Khan (Sc25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-07-2024 The present writ petition has been filed seeking the following relief:-

“That, the present writ application is being filed on behalf of the petitioner, for quashing the order dated 20-08-2023, passed under section 5 (1) (C) of the Bihar Public Land Encroachment Act,



1956 by the Circle Officer, Sahebganj, District Muzaffarpur (Respondent no.-6) in Encroachment Case no. 06-2022-23 by which the said respondent declared the petitioner as an encroacher of the land bearing R.S. Khata no.- 387 R.S. Kheshra (Bhukhand) no.10 area 7.750 situated in village -Halimpur Thana no.- 105, P.S.- Sahebganj, District - Muzaffarpur and the same notice issued upon the petitioner U/S 6 (2) of the said Act to vacate the said land otherwise proceeding for 188 I.P.C will be initiated against him and further, his lordships may be pleased to stay the operation of said order till final hearing of the case.”

2. At the outset, the learned counsel for the petitioner submits that the petitioner has already filed an appeal against the final order dated 20.08.2023 passed by the Circle Officer, Sahebganj, bearing Appeal No.2 of 2023-24, hence, the Appellate Authority be directed to dispose off the same, expeditiously.

3. Having regard to the limited prayer made by the petitioner in the present case, I deem it fit



and proper to direct the Appellate Authority to dispose off the aforesaid appeal, in case the same is yet to be disposed off, by passing a reasoned and a speaking order, in accordance of law, within a period of four weeks of receipt of a copy/production of this order.

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

(Mohit Kumar Shah, J)

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