

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17977 of 2024

=====

Ravi Shankar Singh Jahnvi Son of Late Bhuneshwar Singh, Resident of
Village-Naya Tola, Madhopur, P.S.-Bakhtiyarpur, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department,
Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Additional Collector, Patna.
4. The Circle Officer, Bakhtiyarpur, Patna.
5. The Assistant Engineer, Public Health Sub-division, Barh, Patna.
6. Sudhanshu Singh, son of Shashi Bhushan, Resident of Village-Naya Tola,
Madhopur, P.S.-Bakhtiyarpur, District-Patna.
7. Ankit Singh, son of Shashi Bhushan, Resident of Village-Naya Tola,
Madhopur, P.S.-Bakhtiyarpur, District-Patna.
8. Jitendra Singh, son of Late Ramanand Singh, Resident of Village-Naya Tola,
Madhopur, P.S.-Bakhtiyarpur, District-Patna.
9. Ranjita Singh, son of Rajeev Kumar, Resident of Village-Naya Tola,
Madhopur, P.S.-Bakhtiyarpur, District-Patna.
10. Kaushyala Devi, wife of Lakshman Singh, Resident of Village-Naya Tola,
Madhopur, P.S.-Bakhtiyarpur, District-Patna.
11. Hari Nandan Singh, son of Deo Narain Singh, Resident of Village-Naya
Tola, Madhopur, P.S.-Bakhtiyarpur, District-Patna.
12. Sita Ram Singh, son of Late Brij Nandan Singh, Resident of Village-Naya
Tola, Madhopur, P.S.-Bakhtiyarpur, District-Patna.
13. Ramji Singh, son of Late Brij Nandan Singh, Resident of Village-Naya Tola,
Madhopur, P.S.-Bakhtiyarpur, District-Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Prem Kumar, Advocate
For the Respondent/s : Mr. Navnit Kumar, AC to GP-18

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-12-2024 Though the present writ petition has been filed

challenging the notice dated 30/31.07.2024, issued by the Circle

Officer, Bakhtiyarpur, District-Patna in connection with



Encroachment Case No. 02 of 2024-25, however, the Ld. Counsel for the petitioner, realizing the fact that the same is merely a notice under Section 3 of the Bihar Public Land Encroachment Act, 1956 (hereinafter referred to as the Act, 1956'), seeks liberty on behalf of the petitioner to file his objection before the Circle Officer, Bakhtiyarpur, District-Patna, however, seeks some protection during the interregnum period.

2. *Per contra*, the learned counsel for the respondent-State submits that in case appropriate objection is filed by the petitioner in the aforesaid encroachment proceedings, the same would definitely be considered, in accordance with law and the Circle Officer, Bakhtiyarpur, District-Patna, shall pass the final order under Section 6(1) of the Act, 1956.

3. Having regard to the limited prayer made by the petitioner in the present case, I deem it fit and proper to grant four weeks' time to the petitioner to file his objection to the aforesaid notice dated 30/31.07.2024, issued by the Circle Officer, Bakhtiyarpur, District-Patna, whereupon the Circle Officer, Bakhtiyarpur, District-Patna shall consider the same in accordance with law and pass the final order under Section 6(1) of the Act, 1956 within a period of four weeks, thereafter, in case the same has not yet been passed and till then no coercive



action shall be taken against the petitioner.

4. It is needless to state that in case no objection is filed by the petitioner within a period of four weeks from today, before the Circle Officer, Bakhtiyarpur, District-Patna in connection with the aforesaid Encroachment Case No. 02 of 2024-25, the Circle Officer, Bakhtiyarpur, District-Patna shall nonetheless, proceed to pass the final order under Section 6(1) of the Act, 1956, ex parte.

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

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

