

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17292 of 2023

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Arun Kumar S/o Sri Mathura Prasad R/o Village Sultanpur, P.S. Ekanger Sarai, Distt. Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Collector Cum District Magistrate, Nalanda.
3. The Anchal Adhikari, Ekangar Sarai, Nalanda.
4. Mukhia, Gram Panchayat Raj, Gomhar, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rewti Kant Raman
For the Respondent/s : Mr.Gyan Prakash Ojha (Ga 7)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 06-02-2024

1. This is an application for quashing the order dated 03.10.2023 passed by Collector-cum-District Magistrate, Nalanda in Land Encroachment Appeal No. 02 of 2022 and the order dated 04.05.2022 passed by the Circle Officer, Ekangar Sarai in Land Encroachment Case No. 39 of 2020-21.

2. It has been submitted by the learned counsel for the petitioner that the original order passed by the Circle Officer is without hearing him.

3. The fact of violation of principles of natural justice has not been denied by the State.

4. In the appellate order, the Collector-cum-District Magistrate, Nalanda has not considered the submissions of the



petitioner.

5. In these circumstances, this application is allowed and the order dated 03.10.2023 passed by Collector-cum-District Magistrate, Nalanda in Land Encroachment Appeal No. 02 of 2022 and the order dated 04.05.2022 passed by the Circle Officer, Ekangar Sarai in Land Encroachment Case No. 39 of 2020-21 are hereby quashed with liberty to the respondents to initiate a fresh proceeding in accordance with law.

6. This application stands allowed.

(Sandeep Kumar, J)

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